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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF MISSISSIPPI,

AT

A REGULAR SESSION THEREOF,

HELD IN THE

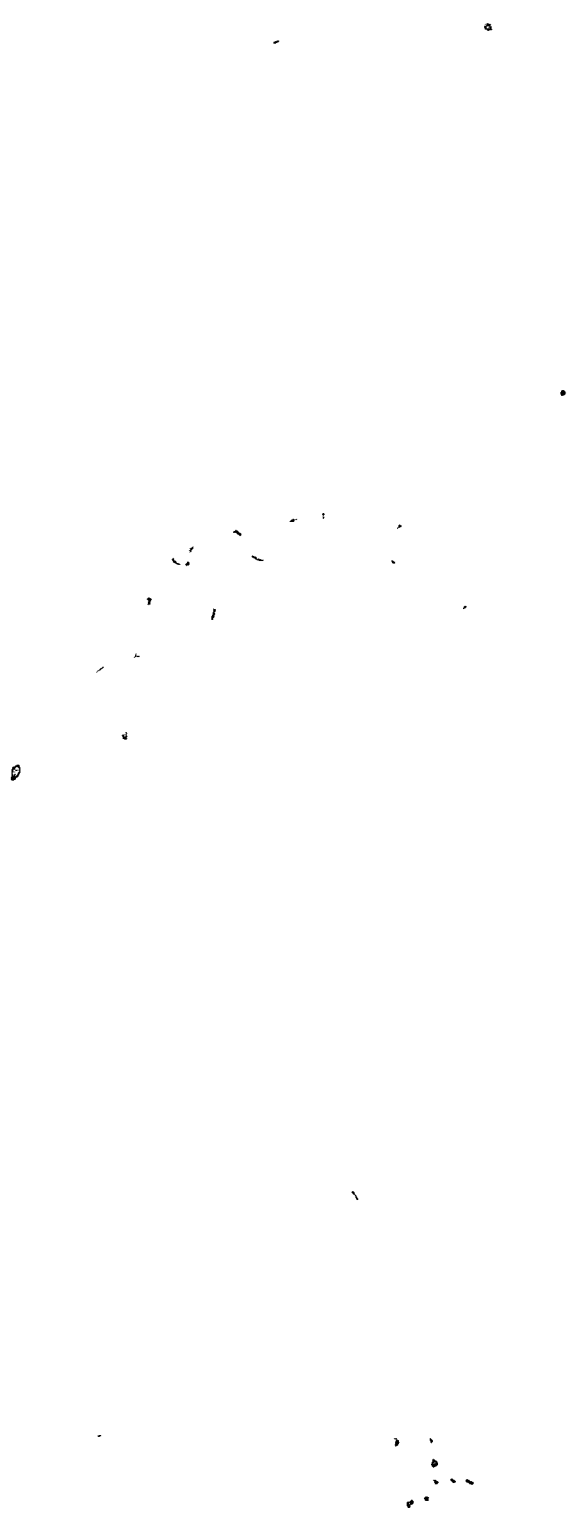
CITY OF JACKSON.

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1848.



JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF MISSISSIPPI.

At a regular session thereof, begun and holden in pursuance of Law, at the State House, in the City of Jackson, in the county of Hinds, on Monday, the 3rd day of January, Anno Domini, one thousand eight hundred and forty-eight, the seventy-first year of the independence of the United States of America, and of the sovereignty of the State of Mississippi the thirty-first.

MONDAY, JANUARY 3, 1848.

BE IT REMEMBERED, that on this day, at the place aforesaid, being the time and place designated by law, for the assemblage of the Legislature of the State of Mississippi, the members of the House of Representatives, convened in the Representative Hall, at 11 o'clock, A. M. were called to order by Mr. Cushman, member elect from the county Lafayette; and upon the motion of Mr. Cushman, the Hon. John T. Connell was called to the Chair, Mr. Montgomery acting as Clerk, assisted by Mr. James M. Childs, for the purpose of organizing the House.

The counties being called alphabetically, the following gentlemen presented themselves to the Chairman, and took the oath prescribed by the constitution, viz:

From the county of Adams—Robert Stanton.

From the City of Natchez—Seth C. Cox.

- From the county of Amite—D. W. Hurst.
- From the county of Attala—E. H. Sanders.
- From the county of Bolivar—James B. Smith.
- From the county of Claiborne—Richard Valentine.
- From the county of Clarke—John J. McRae.
- From the county of Covington—D. McLaurin.
- From the county of Covich—J. K. Hill, John Holden.
- From the county of Coahoma—Thos. M. Nash.
- From the county of Chickasaw—R. G. Steel, Jas. F. Walker.
- From the county of Carroll—J. Whitmore, G. F. Neill, and James Liddell.
- From the county of Choctaw—Geo. Huie, M. W. Trigg.
- From the county of Desoto—R. C. Hancock, John J. Williams, and J. W. Campbell.
- From the county of Franklin—C. C. Campbell.
- From the county of Green—John McInnis.
- From the county of Hancock—John B. Toulme.
- From the county of Hinds—P. J. Catchings, R. White.
- From the county of Holmes—W. Brooke, A. M. West.
- From the county of Harrison—B. Bond.
- From the county of Itawamba—A. J. McWilliams, J. C. Hinds, and W. C. Cypert.
- From the county of Issaquena—M. Powell.
- From the county of Jackson—John Davis.
- From the county of Jasper—L. B. Ellis.
- From the county of Jefferson—Geo. Torrey.
- From the county of Jones—D. Bynum.
- From the county of Kemper—O. Y. Neeley, L. J. Garrett.
- From the county of Lauderdale—Benj. Carroll, O. G. Clayton.
- From the county of Lawrence—Wm. Weathersby.
- From the county of Leake—W. M. Hall.
- From the county of Lafayette—Jas. Brown, J. F. Cushman.
- From the county of Lowndes—E. Abbott, James Whitfield and John T. Connell.
- From the county of Marion—E. C. Stewart.
- From the county of Madison—Samuel Ford, P. Henry.
- From the county of Monroe—L. E. Houston, J. T. Fortson.
- From the county of Marshall—John J. Steger, C. L. Thomas, J. C. Alderson, and R. Phillips.

From the county of Neshoba—A. B. Woldridge.
 From the county of Newtom—Wm. Thames.
 From the county of Noxubee—S. Moore, Geo. H. Foote.
 From the county of Oktibbeha—S. C. Harrington.
 From the county of Perry—P. J. Myers.
 From the county of Pontotoc—J. Barden, Wm. Melton, and
 Henry Duke.
 From the county of Pike—Jessee Brumfield.
 From the county of Panola—T. F. Wilson.
 From the county of Rankiu—Francis J. Lynch.
 From the county of Scott—A. H. Metcalf.
 From the county of Simpson—J. M. Dampier.
 From the county of Smith—Samuel Noble.
 From the county of Tunica—R. H. Byrn.
 From the county of Tippah—S. W. Echols, J. Gattin, J. G.
 Hamer, and W. H. Foote.
 From the county of Tishemingo—A. B. Dilworth, S. S. Hogue
 M. Surat, and J. F. Arnold.
 From the county of Tallahatchie—J. P. Foree.
 From the county of Warren—D. B. Nailor.
 From the county of Wayne—John West
 From the county of Winston—M. T. Collier, S. W. Godfrey.
 From the county of Wilkinson—H. F. Simrall.
 From the county of Yazoo—T. P. Slade, H. J. Thomas.
 From the county of Yallobusha—H. Raal, Jas. Weir, and B. T.
 Cleveland.

On motion of Mr. Liddell,
 The House proceeded to the election of a Speaker.
 Whereupon the following nominations were made, Messrs.
 Neill and Weir acting as tellers:
 Mr. Metcalf nominated J. J. McRae, of Clarke county.
 Mr. Stewart nominated J. F. Cushman of Lafayette.
 Mr. Cushman nominated R. C. Hancock, of Desoto.
 Mr. Liddell nominated J. Whitfield, of Lowndes.
 Mr. Simrall nominated P. Henry, of Madison.
 No other nominations being made, the House proceeded to ballot;
 And upon counting the votes the result is as follows:
 James Whitfield received 27 votes.
 Mr. J. J. McRae “ 25 “

Mr. Cushman received 5 votes.

Mr. Henry " 13 "

Mr. Hancock " 18 "

Mr. Neill " 1 "

Blank " 2 "

Neither gentleman having received a constitutional majority of the votes cast, there was no choice.

The House proceeded to a second balloting, the names of Mr. Cushman and Mr. Henry being withdrawn.

The vote is as follows:

Mr. Whitfield received 34 votes.

Mr. McRae " 34 "

Mr. Hancock " 19 "

Mr. Neill " 1 "

Blank " 2 "

No choice being made, the House proceeded to a third balloting.

Before taking the vote, Mr. H. G. Johnson, of Hinds, presented his credentials and took the usual oath.

Mr. Dilworth moved that the House take the vote *viva voce*,

Which was lost.

The vote being then taken, resulted as follows:

Mr. Whitfield received 37 votes.

Mr. McRae " 42 "

Mr. Hancock " 11 "

Blank " 2 "

No choice having been made, the House proceeded to a fourth balloting, the name of Mr. Hancock being withdrawn.

The result is as follows:

Mr. Whitfield received 40 votes.

Mr. McRae " 51 "

Blank " 2 "

Mr. McRae having received a majority of all the votes cast, was declared to be duly and constitutionally elected Speaker, and was conducted to the chair by Mr. Cushman, of Lafayette; and after having taken the oath prescribed by the constitution, delivered an address expressive of his thanks to the House.

Mr. Stanton, of Adams, appeared in the House, presented his credentials and took the oath required by the constitution.

On motion of Mr. Metcalf,

The House proceeded to the election of a Principal Clerk.

Mr. Lynch nominated Mr. E. P. Russell of Hinds.

Mr. Connell nominated Mr. J. D. Montgomery of Lowndes.

No other nominations being made, the House proceeded to ballot, under the direction of the former tellers.

The result is as follows:

Mr. Russell received 78 votes.

Mr. Montgomery " 15 "

Mr. Russell having received a majority of all the votes, was declared to be duly and constitutionally elected Clerk of the House of Representatives, took the oath of office, and entered upon the discharge of his duties.

On motion of Mr. Hinds,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. E. Mason of the City of Vicksburg, and Mr. G. B. Wilds, of Sunflower, appeared, presented their credentials, and took the oath of office.

On motion of Mr. Wooldridge,

The House proceeded to the election of a Door Keeper.

Mr. Metcalf nominated E. S. Farish, of Hinds.

Mr. Hill nominated Lewis Linder, of Copiah.

Mr. Catchings nominated John Kearns, of Hinds.

Mr. Weathersby nominated Pollard Mullins, of Lawrence.

Mr. Metcalf nominated Mr. Ryder, of Madison.

Mr. Hinds moved that the vote be taken *viva voce*,

Which being lost,

The result by ballot is as follows:

Mr. Mullins received 54 votes.

Mr. Farish " 30 "

Mr. Leech " 5 "

Mr. Kearns " 3 "

Mr. Linder " 1 "

Mr. Ryder " 1 "

Mr. Mullins having received a majority of all the votes cast, was declared to be duly and constitutionally elected Door Keeper

of the House of Representatives, took the oath of office, and entered upon the discharge of his duties.

On motion of Mr. Whitfield,

Resolved, That the Rules for the government of the House at the last session, be adopted for the government of this House.

On motion of Mr. Connell,

Resolved, That the Clerk be instructed to inform the Senate that the House of Representative have met, formed a quorum, and elected John J. McRae Speaker, E. P. Russell Clerk, and Pollard Mullins Door Keeper, and are now ready to proceed to business.

On motion of Mr. Cushman,

Resolved, That the Door Keeper be required to furnish seats within the bar of the House, for such editors of newspapers, or their reporters as may desire to report the proceedings of the House during its sitting.

Mr. Stewart moved that the House adjourn until to-morrow morning at 10 o'clock;

Which was lost.

Some time having elapsed, and no business presenting itself,

On motion of Mr. Hinds,

The House adjourned until ten o'clock to-morrow morning.

TUESDAY MORNING, JANUARY 4, 1848.

The House met pursuant to adjournment.

The following message was received from the Senate by Mr. Dozier, their Secretary:

MR. SPEAKER—I am instructed by the Senate, to inform the House of Representatives, that they have met, formed a quorum, elected the Hon. Dabney Lipscomb, of Lowndes, President, D. F. Dozier of Jasper, Secretary, and Wm. B. Cavena Door Keeper, and they are now ready to proceed to business.

MR. SPEAKER—The Senate have adopted the following joint resolution, in which I am instructed to desire the concurrence of the House of Representatives:

Resolved, (the House concurring) That the two houses meet in the Representative Hall on to-morrow (Tuesday) for the election of a Sergeant-at-Arms at 11 o'clock.

On motion of Mr. Cushman,

The House concurred in the above resolution of the Senate.

The following communication from the Secretary of State was presented to the House by the Speaker:

OFFICE OF SECRETARY OF STATE, }
Jackson, Miss., Jan. 3d, 1848. }

SIR: In obedience to a constitutional requisition of the Secretary of State, I have the honor herewith, to transmit to you the separate sealed returns of the election for Governor, received at the Secretary's office, from the counties of Adams, Amite, Attala, Bolivar, Carroll, Chickasaw, Choctaw, Claiborne, Coahoma, Copiah, Covington, Clarke, Desoto, Franklin, Green, Hancock, Hinds, Holmes, Harrison, Issaquena, Jackson, Jasper, Jefferson, Jones, Kemper, Lafayette, Lauderdale, Lawrence, Leake, Lowndes, Madison, Marion, Marshall, Monroe, Neshoba, Noxubee, Newton, Perry, Pike, Rankin, Scott, Simpson, Smith, Sunflower, Talahatchie, Tippah, Tishomingo, Warren, Washington, Winston, Wayne, and Yazoo. From the counties of Itawamba, Octibbeha, Panola, Pontotoc, Tunica, and Yallobusha, no separate sealed returns have been received. The general returns from those counties show that in the county of Itawamba, Joseph W. Matthews received for Governor, 1,152 votes, and A. B. Bradford 145 votes; from the county of Octibbeha, Joseph W. Matthews received 390 votes, and A. B. Bradford received 318 votes; from the county of Panola, Joseph W. Matthews received 424 votes, and A. B. Bradford 528 votes; from the county of Pontotoc, Joseph W. Matthews 1056 votes, and A. B. Bradford 429 votes; from the county of Tunica, Joseph W. Matthews received 41 votes, and A. B. Bradford 32 votes; and from the county of Yallobusha, Joseph W. Matthews received 919 votes, and A. B. Bradford 484 votes. There is, however, one return herewith sent, which may be from one of the counties last mentioned, but as there is no endorsement thereon whereby the particular county can be designated, no specification of the county can be made.

Respectfully submitted by

SAMUEL STAMPS,

Secretary of State.

Mr. Dilworth offered the following resolution:

Resolved, (the Senate concurring) That the Joint Rules of the

two houses, adopted at the last session, be adopted as the Joint Rules of the present session.

The constitutional rule being dispensed with,

The resolution was adopted.

On motion of Mr. Wooldridge,

It was resolved, That the Clerk be instructed to have 200 copies of the Rules of this House printed for its use.

Mr. Hancock offered the following resolution:

Resolved, That a joint select committee of three on the part of the House, and on the part of the Senate, be appointed to wait on his Excellency the Governor, and inform him that both houses are now organized and ready to receive any communication he may see cause to make.

The constitutional rule requiring joint resolutions to lay one day on the table, being dispensed with, the resolution was adopted, and the Speaker appointed as said committee on the part of the House, Messrs. Hancock, Henry and Cushman.

Mr. Stewart moved that the resolution of Mr. Dilworth, adopting the joint rules of the two houses at the last session, for their government at the present session, be reconsidered;

Which was lost.

On motion of Mr. Whitfield,

Resolved, That the Door Keeper be authorized to employ some suitable youth to perform such services as may be required of him, and also to employ a trusty and active servant to keep up fires, and to perform such other services as may be necessarily required during the session.

The following message was received from the Senate by Mr. Dozier, their Secretary:

MR. SPEAKER: I am instructed to inform the House of Representatives that the Senate have adopted the following joint resolution:

Resolved, That a committee of three on the part of the Senate, and on the part of the House of Representatives, be appointed to wait on his Excellency the Governor, and inform him that the two houses have organized, and are ready to receive any communication he may wish to make to them, and the President has appointed the following Senators the committee on the part of the Senate, to-wit: Messrs. Kennedy, Guion and Boone.

I am instructed to desire the concurrence of the House.

On motion of Mr. Cushman,

The House concurred in the resolution, filling the blank with five.

The Chair appointed on the part of the House, Messrs. Hancock, Cushman, Henry, Whitfield and Thames.

On motion of Mr. Connell,

The House took a recess of fifteen minutes, to prepare the Hall for the reception of the Senate.

The Hall having been prepared, the Speaker resumed the chair.

Mr. Hancock from a joint select committee, made the following report:

MR. SPEAKER—The joint select committee appointed to wait on his Excellency the Governor, and inform him that the two houses were now organized, have performed that duty, and have instructed me to report, that his Excellency will communicate a message in writing to-day at 12 o'clock.

The Senate having been informed that the hall of the House of Representative was in readiness for their reception, preceded by the Door Keeper, entered the hall and took the seats assigned them.

The President having explained the object of the joint assemblage,

Mr. Cushman moved that the vote be taken *viva voce*;

Which was lost.

Mr. McAfee of the Senate nominated Lawson Booth of Covington county.

Mr. Dilworth of the House nominated Joseph S. Leake of Tishomingo.

Mr. Wilson of the House nominated A. S. Bailey of Desoto.

Mr. Singleton of the Senate nominated Samuel B. Dougherty of Madison.

Mr. Catchings of the House nominated B. D. Chapman of Hinds.

Mr. Lake of the Senate nominated Gen. T. C. McMackin of Vicksburg.

Mr. Noble of the House nominated Samuel Lemly of Hinds.

Mr. Hill of the House nominated Reuben Leech of Copiah.

Mr. Ramsay of the Senate nominated Mr. Willoughby of Perry.

Mr. Lynch of the House nominated J. A. Furgerson of Rankin.

The houses then proceeded to ballot; Mr. Boone of the Senate

and Mr. Metcalf of the House acting as tellers.

On counting the votes it appeared that

Mr. Booth received 7 votes.

" Leake	" 26 "
" Bailey	" 38 "
" Dougherty	" 5 "
" Chapman	" 5 "
" McMackin	" 7 "
" Lemly	" 14 "
" Leech	" 8 "
" Willoughby	" 6 "
" Ferguson	8 "

No choice having been made, the houses proceeded to a second balloting, Mr. Dotughery and Mr. Chapman having been withdrawn, when

Mr. Booth received 5 votes.

" Bailey	" 49 "
" Leake	" 28 "
" Lemly	" 21 "
" Leech	" 5 "
" McMackin	" 3 "
" Willoughby	" 6 "
" Ferguson	" 7 "

None of the gentlemen having received a majority of the votes taken, the two houses proceeded to a third ballot, the names of Messrs. Boothe, Leech, McMackin, Willoughby and Ferguson having been withdrawn. The result is as follows:

Mr. Bailey received 59 votes.

" Leake	" 37 "
" Lemly	" 28 "

There being no choice, the two houses proceeded to a fourth balloting, which resulted as follows:

Mr. Bailey received 67 votes.

" Leake	" 22 "
" Lemly	" 35 "

Whereupon, the President declared that Mr. Bailey having received a majority of all the votes cast, was duly and constitutionally elected Sergeant-at-Arms.

The two houses having accomplished the business for which they had convened, the Senate retired.

On motion of Mr. Walker,
The House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Nash,

Resolved, That the several resident ministers of the gospel in this city, together with those who may visit the capital during the winter, be invited to attend the meetings of the House on each morning, and open its deliberations with prayer.

Resolved further, That the Clerk be instructed to acquaint the resident ministers of this city of the passage of this resolution.

A message from the Senate by Mr. Dozier, their Secretary:

MR. SPEAKER—I am instructed by the Senate to inform the House of Representatives that the Senate have adopted the following joint resolution, to-wit:

Resolved (with the concurrence of the House of Representatives,) That the joint rules of the two houses, adopted at the last session, be adopted as the joint rules at the present session.

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Liddell,

The House concurred in the resolution from the Senate.

The following biennial message from his Excellency the Governor, was received by the hand of his private secretary, Col. Wm. Gibbons:

M E S S A G E

Fellow-citizens of the Senate and of the House of Representatives:

It affords me pleasure to greet you on your assemblage at the seat of government, with a statement of the improved condition of our public affairs, and to congratulate you upon the general prosperity which pervades the country.

Although, from providential causes in 1846, and commercial revulsions abroad in 1847, the profits of the planter have been somewhat diminished, his income has been large, and all things considered, persons engaged in agriculturral and other industrial pursuits, have greatly prospered. Taxes have been paid without murmuring, and accounted for by collectors with unusual punctuality. The treasury, having recovered from its embarrassments, has continued for two years past, without intermission, to pay all authorised demands upon it, and now contains a surplus of \$115,755 41, exclusive of the Two and Three per cent funds. A summary of the biennial receipts and disbursements on account of taxes, presents the following result:

Taxes for 1845, received in 1846,	\$351,278 72	
“ “ 1846, “ “ 1847,	328,407 16	
		\$679,685 88
Disbursed in 1846,	380,437 97	
“ “ 1847,	233,521 73	\$613,959 70
Excess of receipts over disbursements,		65,726 18
Exclusive of fifty thousand and twenty-nine dollars and twenty-one cents, received from miscellaneous sources in money, and eighteen thousand dollars in Planter's Bank bonds.		

The Auditor's reports show warrants issued prior to and outstanding, January 1, 1846,	\$271,749 71
Issued in 1846,	227,055 51
“ “ 1847,	152,191 21
Whole amount issued to January 1st, 1848,	650,996 43
“ “ redeemed from Jan'y. 1846 to 1848,	613,959 70
Exhibiting warrants outstanding this day,	37,036 81
Against a surplus in the treasury of \$115,755 41, or an excess of present means, over present liabilities of \$78,718 60.	

It will be seen that there is a diminution in the revenue for 1846, (received in 1847,) as compared with the year previous of near twenty-three thousand dollars. This is attributable to the revenue law of the last session of the legislature. But for that law, the constantly increasing wealth and population of the State, would have augmented the revenue near ten thousand dollars in 1846-7, and this sum would, by the same means, have been increased each succeeding year; and thus the State, without any sensible effort on the part of her citizens, would, by the power of her natural growth, have risen superior to all future embarrassments. If there is any one thing in which, above all others, the State may invoke the forbearance of her law-givers, it is in this matter of improvident interference with her revenue laws. It will be seen by a just investigation of our indebtedness, as compared with our resources, that the State has use for even more revenue than would have been realised under the law as it existed in 1844-5.

The assessments for the year 1847, but little of which has yet been paid into the treasury, amount to about three hundred and seventy-five thousand dollars. After making reasonable deductions for assessing, collecting, and insolvencies, the amount to be received will not vary much from three hundred and thirty thousand dollars. The expenditures for the present year are estimated at two hundred and ten thousand dollars. So that the receipts will probably exceed the disbursements one hundred and thirty thousand dollars; which, added to the surplus now in the treasury, would give us two hundred and forty-five thousand seven hundred and fifty-five dollars and forty-one cents, at the end of the year. The State is indebted to the Sinking fund ninety-five thousand dollars, and to the Seminary fund about sixty thousand dollars; and these sums ought to be provided for. Special reference will be made to them hereafter.

For a more perfect understanding of the financial condition of the State, and the practical operations of the existing revenue laws, reference is made to the voluminous and very satisfactory report of the late Auditor, James E. Matthews, Esq. herewith transmitted to the House of Representatives. The report has been prepared with great care, and presents in a clear and comprehensive light, the affairs of the department over which the late Auditor has presided with ability and fidelity for the last six years. It is worthy a minute investigation, and is earnestly recommended to the attention of the legislature and of the country.

In estimating the indebtedness of the State, the bonds issued on account of the Planter's Bank, have been included. My last general message conveyed to the legislature and the country, my views as regards the State's liability to pay these bonds. These opinions have undergone no material change, but a reiteration of them is uncalled for, and would be unprofitable at this time. Having long since settled in my own mind, that the State is bound by every obligation that the constitution and the laws can impose, to pay

the debt, it has only remained to devise some means acceptable to the people, and not too oppressive, by which it could be done. The whole subject has been calmly considered, and however it may be regarded by others, there is, to my mind, but one course to be pursued worthy the character of a great and growing State, and that is to raise the money by taxation and discharge the debt as rapidly as possible. That course is respectfully but earnestly recommended. The debt now stands as follows:

Bonds issued in March, 1833,	\$1,500,000
6 per cent interest from March, 1839, to Jan'y. 1848,	795,900
Bonds issued in July, 1831,	500,000
6 per cent interest from July, 1839, to Jan'y. 1848,	255,000
Total,	3,050,000

Subject to a deduction of twenty-four thousand three hundred and forty-one dollars, in bonds and coupons, paid into the treasury by the State Commissioner, or now remaining in his hands, for an account of which, reference is made to the report of that officer.

The annual interest on the bonds, it will be seen, is one hundred and twenty thousand dollars. The probable receipts for the present year, under the existing revenue law as we have seen, will be three hundred and thirty thousand dollars; and the expenditures, (including the legislature) two hundred and ten thousand dollars, so that the sum remaining in the treasury after defraying the ordinary expenses, will not be sufficient at the present rate of taxation to pay more than the interest accruing; thus leaving the principal and back interest wholly unprovided for. It has been proposed to apply the State lands to the payment of this debt. My solemn protest is hereby rendered against such a proceeding—first: because the land having been given for other purposes, we have no right to use it in this way. Secondly: because we ought not so to use it if we had the right; if we owe the debt at all, we owe it in money and ought to pay it in money. Thirdly: because it is just as well to levy taxes to pay the bonds as to levy them to pay for the land. Fourthly: because if we do not intend to pay for the land after using it in paying the bonds, we mean to violate our faith with the United States, who gave it for purposes of internal improvement.

The relation which the Sinking Fund bears to these Bonds may be easily explained. The Bonds were sold and the proceeds invested in Planters' Bank Stock; the dividends on this stock were pledged for the redemption of the interest on the Bonds, and the interest being paid, the surplus dividends constituted a Sinking Fund. The Bank for many years declared large dividends, and the surplus accumulated to several hundred thousand dollars. The President and Cashier of the Bank, and the Auditor of Public Accounts constituted a board, authorized by law, to manage this fund. The Legislature in 1844, being dissatisfied with the management of this

board, rejected them, and ordered the appointment of a Commissioner to take charge of the fund. This officer has collected and paid (most of it) into the Treasury, about one hundred and nineteen thousand dollars, of which twenty-four thousand three hundred and forty-one dollars, is in the Bonds and Coupons of the State. The remaining ninety-five thousand dollars, belongs of right to the Bondholders, and its immediate appropriation for their use is earnestly recommended. The State has no earthly claim to it. If the principal sum was not borrowed on the Bonds of the State, she can have no claim to the dividends accruing from its investments. If it was so borrowed, then she contracted a debt in borrowing it for the redemption of which this fund stands pledged. It cannot be therefore that any man of any party will be found to oppose the immediate application of the amount now in the Treasury, to the credit of the Sinking Fund, to the payment of the Bonds as far as it goes.

The Two Per Cent. Fund amounts to about two hundred and ten thousand dollars. Of this sum, one hundred and forty-six thousand eight hundred and twenty-three dollars was received by me, under the authority of an act of the late Legislature, and one hundred and forty-three thousand eight hundred and thirty-one dollars and seventy-one cents, paid immediately after its receipt, to-wit: February 6th, 1847. The remaining two thousand nine hundred and ninety-one dollars was retained by me to meet certain extraordinary contingencies, and will be accounted for in another communication. Of the sum received by me and paid in, one hundred and thirty-six thousand seven hundred dollars, was in United States Treasury Notes, drawing an interest of 5 2-5 per centum per annum. The interest increased a fund for which the State had no immediate use, and the warrants were more conveniently kept than specie, for these reasons they were taken in preference to gold and silver. In addition to the sum in the Treasury to the credit of this fund, there is justly due it about thirty-five thousand dollars on account of Graves' defalcation. It is not probable that any considerable part of this sum will ever be recovered. The securities once offered to pay twenty thousand dollars on the whole defalcation of forty-four thousand dollars for a final discharge—no one was authorized to compromise for the State, and the proposition was not therefore accepted. It is not certain that the offer will be renewed, but power to settle by compromise should be given to the Governor or some other officer: otherwise it is my opinion nothing of consequence will ever be obtained.

The Southern Rail Road Company to which this fund was given under certain limitations by an act approved February 23d, 1846, has not been organized in conformity with the act, and no part of the money has therefore been used for the construction of the road. It is presumed that the Company will organize at no distant day, and the fund should be retained in good faith, and ap-

plied to the construction of the road whenever it can be done with advantage to the public.

Whether it will be better to direct its immediate application, or to delay until other means can be obtained to assist in carrying on the work, is a matter worthy of the serious deliberation of the Legislature. My own opinion is in favor of the application. The road, if constructed twenty miles beyond Jackson, would support itself and pay a small dividend on an investment of two hundred and fifty thousand dollars. Its advantages to the Eastern part of the State would be very great. Should the legislature deem the immediate application of the fund inadvisable, it ought at once to be put at interest for the future benefit of the road. United States six per cent. bonds offer the best security, and its investment therein is most respectfully recommended.

The whole amount of lands registered on account of the 500,000 acres, is 529,696 acres, and about 20,000 acres have been located by the Commissioners of the State and not yet registered. The reason for locating so large an excess is to provide against rejections by the Secretary of the Treasury in consequence of pre-emption rights and other conflicting claims. Thus far 354,034 acres have been approved by the Secretary of the Treasury, and for various reasons 16,275 acres have been rejected. One hundred and ninety-four thousand and twenty-five acres have been registered to the credit of the Chickasaw School Lands. Of this amount 123,642 acres have been approved by the Secretary of the Treasury, and 5,368 acres rejected. It is not doubted that enough has been secured by location and registration to cover both grants after every reasonable deduction shall have been made. Should the lands be offered for sale, it must be recollected that the State's title is not perfect except to such parcels as have been approved by the Secretary of the Treasury. As the record made by the Secretary of State of the lands *Registered*, is necessarily rendered incorrect and uncertain by the numerous *rejections* subsequently made at Washington, it will be proper to require another record of the lands as approved. The corrected lists have been deposited with the Secretary of State. The attention of the Secretary of the Treasury has been called to the unapproved locations, and he has been requested to dispose of them at as early a day as possible. The multiplicity of that officer's engagements have prevented his compliance with the request up to this time.

In despite of every reasonable precaution to prevent it, locations have sometimes been made on tracts in the actual occupancy of settlers, they having neglected to declare their intention to remain, and thereby secure pre-emptions according to the act of Congress. The State had the legal right to make the location, yet she ought not to take advantage of her citizens. Liberal Legislation in regard to these settlers is respectfully recommended.

The opinions advanced by me in my last communication on the subject of disposing of these lands have undergone no material change. The five hundred thousand acres can be used for no other than purposes of Internal Improvement. Of such improvements the State is in great need. The levy on the Mississippi, and the navigation of our interior rivers are objects worthy of liberal appropriations in land, or in money if the lands are sold. The best interest of the State forbids the sale of the lands at a price below their actual value. The five hundred thousand acres belong to the whole State, and the school lands to the Chickasaw counties. No one person has the right therefore to appropriate any part to himself without paying a fair equivalent to all the others in interest. Should pre-emptions be granted, it should be done with caution and at a price not below the fair value of the land. The Legislature ought in my opinion to fix the minimum at eight dollars the first year, seven the second, and so on down to one dollar per acre.

Persons have been in the habit of committing depredations on the public lands, which it has been my anxious desire to prevent. Considering it within the *spirit* of our Legislation to encourage actual settlement, it has not been my purpose to molest those who have sought a home on the lands of the State; but other persons, and some of them non-residents of this State, have gone on these lands and cut down and rafted away large quantities of timber, thereby lessening and in some instances wholly destroying their value. The law for the punishment of such offenders has been found uncertain and insufficient. Your attention is called to the subject in the hope that it may receive early and prompt attention.

The State holds the title to large quantities of land bought by her for taxes. The owners have manifested little or no disposition to redeem it. It would be well to direct the Auditor or some other officer to sell it at private entry, giving a quit claim at a price sufficient to pay all arrearages for taxes.

The buildings for the State University at Oxford are progressing as rapidly as could be anticipated. And it is expected that the institution will be opened for the reception of students, sometime during the present year. The location is a healthy and pleasant one, in the midst of an intelligent and growing population, and though not the most central that could have been selected, all things considered, it presents as many advantages as any other point. In view of the constantly increasing demand for such an institution, it is sincerely hoped that it will receive the support of our people, and the fostering care of the Legislature. Long years of neglect have dissipated a large portion of its once munificent endowment, but enough has been saved from the general wreck to establish the institution on a respectable and safe footing. In my last general message, the Legislature was informed that about one hundred thousand dollars of the University Fund had been lost by an improvident investment in Planters' Bank Stock. My rea-

sons were then given for thinking the State bound to make indemnity for the loss, and though not now repeated, they are still entertained. The Auditor's Report shows there to be in the Treasury, to the credit of the University, sixty thousand eight hundred and fifty-nine dollars and seventy-seven cents, independent of the fifty thousand appropriated in 1846, for the erection of buildings. There is, in the Commissioners hands, detained under an injunction in Chancery, six thousand six hundred and thirty-two dollars, of which his report will give you a detailed account. And there is due the fund, in solvent debts not yet collected, twenty-five thousand dollars: thus the whole funds of the Institution amount to near ninety-three thousand dollars, exclusive of the Planters' Bank debt. It is hoped that no further appropriation will be required for building purposes, and that whatever sum is ascertained to be due the University, will at once be put at interest. The State in my opinion, should retain the principal and pay the interest for the benefit of the Institution in semi-annual instalments.

The Common School law of the last session has not fulfilled the anticipations of its friends. The report of the Secretary of State, herewith transmitted, will bring you acquainted with its operations. Its immediate repeal, and the substitution of an act more in accordance with the suggestions contained in my message at the opening of the session in 1846, is respectfully recommended.

The educational wants of the State require the establishment of a Normal School, where young gentlemen and ladies may be educated for the profession of teaching. The want of competent teachers is very sensibly felt, even by those who have the means to educate their children. An interesting paper on this subject, drawn up at my request by the Hon. J. S. B. Thatcher, is herewith transmitted. The subject has been so fully considered as to supercede the necessity of my pursuing it. The views of Judge Thatcher meet my cordial approbation, and are therefore recommended to your favorable consideration.

The Rev. Mr. Champlin, a blind philanthropist has been for some time engaged in the humane work of teaching the blind. He has received the aid of many charitable persons, and intends making application to the Legislature for further assistance. Many of the States of this union have properly lent their assistance to this benevolent work, and no doubt is entertained that Mississippi will follow their example.

Although opposed to the increase of salaries as a general rule, it has occurred to me that the true interest of the State would be promoted by increasing the salaries of the District Attorneys to a sum equal to those of the Circuit Judges, and by prohibiting them from practicing *in their own circuits* in civil cases. In this way the State would procure the undivided attention of able lawyers, and thus have the best possible guarantee that her interest in Court would not suffer. The present low salaries do not justify Attor-

neys in abandoning the civil docket; and nothing is risked in asserting that no lawyer of respectable standing would be confined to the criminal docket for the salary of a District Attorney. Economy and a faithful administration of the criminal laws equally demand this change.—Our Judicial system costs an annual sum little short of thirty thousand dollars over and above all the salaries in that department. Much of this large amount is paid for cost in cases where the State has failed in the prosecution, through some official neglect or incompetency, and where the guilty have in consequence gone unpunished. The foregoing recommendation if carried out, it is hoped will correct this great and growing evil.

The success of the Penitentiary for the last two years has not equaled the general expectation. In 1846, the balance sheet exhibited a loss of eight hundred and eighty-four dollars and fifty-three cents: and this year the gain is shown by the same exhibit, to be eighty-five dollars and fifteen cents. In justice, it should be admitted that the losses have been greater than the reports indicate. By an investigation of the accounts for 1846, it will be seen that six thousand five hundred and seventy-three dollars and seventy-three cents, was drawn from the Treasury in that year; and this year, 1847, six thousand three hundred and thirty-nine dollars and forty-eight cents has been drawn for the use and support of the institution; and that the income is credited in 1846, by stock and tools on hand, nineteen thousand six hundred and fifty-nine dollars and seven cents, and in 1847, by twenty-six thousand six hundred and three dollars and sixty-three cents.

All this material is valuable, and it may be worth the estimated sums. The tools are subject to waste however from constant use, and other articles will depreciate in value from being kept on hand. Until converted into money, their precise value cannot be ascertained. A rigid investigation into all the affairs of the prison is due to its officers and to the public, and is earnestly recommended by me. The reports of the inspectors and other officers for the two last years, ending Nov. 30th, 1847, are herewith transmitted, and will make you acquainted with the operations of the institution during that time. Your attention is especially directed to the report for 1847, and the recommendations therein contained: various difficulties have interposed to prevent a fair experiment in the business of manufacturing cotton and other goods as was intended by a law of the last Legislature. For full information in respect to the progress made in the business of manufacturing, respectful reference is made to the report for 1847. Hopes are confidently entertained that the experiment will in the end prove highly successful and satisfactory, and that the prison will thence cease to be a charge on the Treasury. It is worthy of remark, that the Penitentiary mode of imprisonment, expensive as it has seemed to be is cheaper than any other, and recommends itself as the best means of punishing malefactors by its efficacy and its humanity.

Benj. G. Weir, esq. resigned the superintendency of the prison in May last. The executive appointment was tendered to J. W. Wade of Holmes county, who entered immediately on the duties of the office, and has continued to discharge them to my entire satisfaction.

Attention is respectfully called to the manner of keeping books in the Auditors' Office. The plan is radically defective. The business is rendered complicated and difficult to understand? Accounts are so intermingled that a proper investigation of them is almost impossible. Charges are made under general heads, as the Legislative, Executive, Judicial, &c., and no individual accounts are kept. It is respectfully suggested that a *debit* and *credit* account should be opened with every individual who has monied transactions with the office, on one side of which he may have credit for what is due him, and be charged on the other with the amount paid him: thus, exhibiting at a single view, the state and condition of each man's account. It would be well to open an account with each county in the State, crediting each with all that is received from it, and charging each with all that is paid to it or its citizens. Salaries of the State Officers might be charged *pro rata* to the several counties according to their population; and those of District Officers according to the number of days service rendered to each. Such accounts would be easily kept, and would be useful as matters for future statistical reference.

The habit of paying members of the Legislature, Judges, and other officers, and indeed of paying almost the entire sum that goes out of the Treasury without any special appropriation, seems to me to conflict with the 7 Sec., 7 Art. of our State Constitution. The language of the State and Federal Constitution on this point is precisely the same, that "no money shall be drawn from the Treasury, but in consequence of an appropriation made by law"—Congress has deemed that specific appropriations were necessary to pay the stated salaries of the Judges, Cabinet Officers, and Foreign Ministers: the salary of the President, and even their own per diem allowance. Not a dollar goes out of the National Treasury without first passing the ordeal of a Congressional appropriation. It will be admitted that this construction of the Constitution is the safe one; and as it will require but little trouble and no expense to conform to it strictly, it ought to be done. We should in future require estimates from the Auditor's Office for the annual expenditures of the State. Appropriations should be made for every dollar that is to be paid out, and the issues should be kept strictly within the appropriations. By this means, the people would at least see a point beyond which their annual payment could not be made to go.

The attention of the Legislature is again called to the immediate and pressing necessity for a Lunatic Asylum in this State. It is a reproach to any christian people, that lunatics and insane persons should go at large, unprotected by the care of their fellows, con-

stantly exposed to danger themselves and putting in eminent peril the lives and property of others. An appropriation of three thousand dollars if judiciously expended, would remedy this long neglected and crying evil.

Our statute punishing retailers of spirituous and vinous liquors is defective in this; that it imposes an indiscriminate penalty of thirty days imprisonment and five hundred dollars fine in every case of conviction. There are degrees in the magnitude of this offence, as in all other cases. The *quo animo* should be strictly regarded, and the man who, by accident rather than by design, infringes the law, should be punished in a less degree than one who flagrantly and perseveringly sets the law at defiance. The ends of justice will be subserved by leaving it discretionary with the court before which a conviction is had, to punish offenders of this class, say from one days imprisonment and twenty-five dollars fine, to one months imprisonment and five hundred dollars fine.

The law is defective on the subject of punishing burglary. No penalty is affixed by our statute to this offence when committed by a *slave*, and it is doubtful if punishment can be inflicted, or to what extent if at all. Manifestly it is an omission in the law, which should be supplied without delay.

Your attention is again called to the necessity of making some suitable provisions for protecting the public arms. Vast quantities of arms and accoutrements are annually lost and destroyed for the want of an armory and some competent person to take charge of them. The loss since our State existence, is little short of one hundred thousand dollars, and that sum is increasing annually by a sum larger than is required to keep the arms securely.

By reference to the Report of the Adjutant General herewith transmitted, it will be seen that the Militia of the State is in a good state of organization.

Hon. Jesse Speight, Senator in Congress from this State, died at his residence in Lowndes county, on the first day of May last, and on the tenth day of August, Col. Jefferson Davis received and accepted the executive appointment to fill *ad-interim*, the vacancy thus created. The duty of electing a successor devolves on the Legislature.

In obedience to a legislative requirement, efforts have been made by me to collect the sum of six thousand one hundred and twenty-five dollars, expended by this State in 1836, in calling out Volunteers in compliance with the requisition of Major Gen. E. P. Gaines, U. S. A. The accounting officers at Washington have declined paying the claim, and assign the want of lawful authority as the reason. An appeal has been directed to Congress, but thus far without success.

In conformity with the Legislative direction, suit has been instituted on the Bonds of the Newton and Lauderdale Turnpike Company—it is still pending in the Circuit Court of Clark county. One

of the greatest obstacles in the way of a successful prosecution of the suit, is the loss of the original bonds, and the difficulty in procuring correct or authentic copies. By way of preventing similar difficulties in future, it should be made the duty of every officer with whom official and other bonds are deposited, to *record* them in a well bound book to be kept for that purpose, and copies from this record should be received in evidence when the originals are lost.

A. Hutchinson, esq. has bestowed great labor in the preparation of a Compilation of our Statutes. The work is highly approved by competent judges; and as the wants of the State imperiously demand such a book, it is respectfully recommended to your attention. The cost of the publication cannot be borne by the compiler on his sole responsibility, and if on full examination, the book is found worthy of patronage, the Legislature ought to afford such assistance as will ensure its speedy production.

Howard and Hutchinson's Code, is almost out of print. In the course of ten years many of the laws embodied in it have been modified, altered or repealed. Some of the pamphlet laws will have very soon to be reprinted, as the originals are almost or quite exhausted. Hereafter a larger number should be published, unless the Legislature should think proper to order a Compilation of all the Statutes. Many reasons might be assigned why a Compilation is preferable to any other mode of supplying the laws, but most of them will be so apparent to members of the Legislature as to render the mention of them unnecessary. In fixing the number of copies of any law, ordered to be published, proper allowance should be made hereafter for the increasing population of the State, and the consequent increase in the number of the officers as well as for the more important fact that many of the books and pamphlets that are scattered over the State, in the hands of several thousand persons, are lost or destroyed by neglect, or worn out by constant use. When other officers are elected, they must therefore be without the laws unless the State can furnish them.

Our Law and Chancery Reports number sixteen volumes.—The decisions have been digested by W. C. Smedes, Esq., one of the present reporters to the Supreme court, in a volume of about four hundred pages. In view of the difficulty of ascertaining and understanding the decisions of our courts by officers, who are not lawyers, the utility of such a book is manifest. It gives the decisions under proper heads in such manner as to place the adjudications on all the various points in an accessible and convenient form before the reader; this work is well spoken of by the judges of the High Court of Errors and Appeals in a letter herewith transmitted, and is by me recommended to the favorable consideration of the legislature.

The public buildings at Jackson have been greatly neglected for some years. Necessary repairs have not been made for want of means. The utmost that could be done with the limited amount

at my disposal, has been to prevent absolute waste. There should be an annual appropriation placed at the disposal of the Governor to keep the buildings in repair.

The United States has purchased a lot of ground in the village of Biloxi, with the view to the erection of a light-house thereon, in pursuance of an appropriation by congress for that purpose. A letter from James E. Saunders, collector of the port of Mobile is herewith transmitted, asking the passage of an act ceding jurisdiction to the United States over said lot. Your early attention is invited to the subject.

The amendment proposed by the last legislature to our State constitution in regard to banks, was voted on at the November election, 1847. The whole number of votes cast for members of the legislature was little short of fifty thousand, of which only eighteen thousand five hundred voted for the proposed amendment, as shown by the returns made to the Secretary of State. If these returns are taken as conclusive, the amendment, has not carried, and cannot, therefore, be inserted in the constitution. But it is understood that many thousand votes were polled, of which no return has been made. Such culpable neglect or official malversation should be rightly investigated, and suitable steps taken to prevent its recurrence. A proper enquiry may lead to the evidence that the amendment has passed.

The report of Edw. Pickett, M. D., Vaccine agent for the State, is herewith transmitted, and will bring you acquainted with the manner in which he has discharged his duties and the extent to which the agency has been made useful.

Resolutions, official letters, and other documents, embracing a great variety of subjects, are herewith transmitted, to which your attention is respectfully invited.

The President of the United States has made three several requisitions on the State for volunteers to assist in prosecuting the war with Mexico. The two first for a regiment of infantry or riflemen each, and the last for a battallion of riflemen. The first and second calls were responded to as promptly as the most ardent patriotism could have desired, but a combination of circumstances produced some delay in organizing the battallion. It has been despatched, however, to the seat of war, and is now on the way to Mexico.

The first regiment volunteered for twelve months, and having served out the time, was returned to the United States and discharged. It was the good fortune of this regiment to have participated in two of the most brilliant engagements of the war; its gallant bearing needs no eulogium from me. The storming of Monterey and the field of Buena Vista will tell how faithfully the first Mississippi rifles did their duty. The regiment numbered nearly one thousand when they entered the service; only three hundred and fifty-eight returned at the end of twelve months.

The second regiment is with the army under Gen. Taylor, and supplies the place of the first. The battallion has been ordered to join the column under Gen. Scott. Both these volunteered during the war. The battallion has but just entered the service; the regiment has served about twelve months; when last heard from they were in fine spirits and ready to render an account of themselves whenever called upon. They have been kept in camp, and have suffered greatly from disease, but are now in good health, and should the war be unfortunately protracted, their ardent desire for active service will most likely be realized.

The representatives of the people will doubtless express to the volunteers the deep sense of gratitude with which their admiring countrymen have received intelligence of their toils, their sufferings and their triumphs.

The accompanying correspondence will inform you, that at my solicitation, the arms and accoutrements borne by the first regiment in Mexico, were issued to this State as a part of her quota, and by an executive order, were allowed to remain in the hands of those who had so worthily used them in battle. The legislature may perform an acceptable service, by presenting to each discharged soldier of the first regiment his rifle and its accoutrements. It affords me great pleasure to make that recommendation.

Some embarrassment has been experienced in providing the necessary supplies for the volunteers. The government agents are not always at hand, and when present, do not furnish all that is required. Considerable sums have been expended from time to time, and the accounts have been promptly settled at Washington when sent on. U. S. officers acting in a subordinate capacity would not settle demands, unless contracted within the clearly defined limits of their legal authority. Hence the State executive had first to pay them and then look to the Secretary of War, who acts with a more comprehensive discretion, for re-payment. Ten thousand dollars should be placed at the disposal of the Governor, to meet these demands in future.

It is foreign to the purposes of this communication, to consider the cause which produced the war, or the ends to be accomplished by it; but it has given momentum and present consequence to another question, in which our State has a very direct, local and individual interest. In view of the possible acquisition of territory, by way of indemnity, the House of Representatives of the United States declared, by a large vote, that "neither slavery nor involuntary servitude shall exist in any territory hereafter to be acquired by, or annexed to the United States, except for crimes whereof the party shall have been first duly convicted." The sentiment has been taken up by many of the non-slaveholding States, and by distinguished men of both the great political parties. Virginia, in a series of resolutions, indited with perspicuity and the calmness of conscious rectitude, has assumed the *true national* position on

this question. These resolutions, together with a copy of my reply thereto, made in the absence of the legislature and addressed to the Governor of Virginia, is herewith transmitted.

Territory acquired by the joint effort of the States, must be the property of all the States, and any attempt by the free States to exclude the slave-holding States from a full participation in the ownership and occupancy of it, would be as preposterous as if the latter were to assume, through the agency of Congress to establish the institution of slavery throughout such acquired territory. The might of the free States does not carry with it the right to legislate against the slave States. Ours is not a consolidated government, ruled by the power of majorities not strictly controlled by the federal constitution, but it is a confederation of States, in which the rights of each State are reserved to itself, except in so far as for the general good, they have been delegated to the confederation. The power to legislate in regard to slavery has not been delegated, and therefore does not belong to the federal government, but remains with the States respectively. The question in the territories, it seems to me, must be left, as in the States, to be settled by the people, who inhabit them. A State, by its municipal regulations, may exclude slavery, but it is not pretended that Congress can do so. Where does the federal power derive its authority to exclude it from the territory? A man's slave is his property, so recognised by the constitution, and so declared by the highest courts of the country; and a citizen of Mississippi may settle with his slave property in the territory of the United States, with as little constitutional hindrance as a citizen from any other State may settle with any other species of property. The same power that could exclude a Mississippian with his slaves, could exclude a New-Yorker with his merchandise.

New States asking, admission into the Union, are to be introduced upon terms of equality with the original States. Congress must take care that they have a republican form of government, and that their constitutions do not conflict with that of the United States; and here the power to direct and control them ceases. No other and extraordinary conditions are to be imposed upon them. Each State, for herself, as she enters the Union, must decide whether she will take her position with the free or slave States of the Union. If an anti-slavery majority in Congress may, by the mere force of that majority, exclude slavery from a territory, and thus prepare the way for making her, in the end, a free State, why may not a pro-slavery majority force slaves upon the territory, and thus make it a slave State? And if the opponents of slavery may deny to a new State admission into the Union until she excludes slavery from her limits, why may not the friends of slavery exclude such applicant until she admit and establish the institution of slavery? The southern slaveholder has never undertaken to exclude the northern anti-slavery man from a full share in the ownership and enjoy-

ment of all the territory in the United States. He has never undertaken to control the settlement of such territory, always admitting the right of each new State to regulate her own domestic institutions, he has never sought to exclude such State because she prohibited slavery—yet, we are met with unceasing efforts to exclude slavery from the territories; to deny the slave owner the right to go with his property into such territory, and to close the doors of the Union against the admission of slave States: Need it be asserted that such attempts are violative of the constitution, and in derogation of the rights States, and of the people. It is no reply to say, that the free States are the strong party, and that a majority must rule. The voice of a majority, unsustained by the constitution is utterly powerless. Majorities may pass enactments in violation of the constitution, but they can impose no corresponding obligations on the minority to obey them.—They may attempt to exact obedience by force—the attempt, so far as it succeeds, will be tyranny and oppression, and if persisted in, will result in revolution: For, whenever the will of a majority supercedes the restrictions of the constitution, and the rights of the States and individuals possess no other guarantee than such as are yielded to them by the strong party, our federal government will have ceased to be one of confederated States, and each member must assume its original, sovereign, and independent position. Whether we shall be forced to this extremity, depends upon the councils which shall govern at Washington. It becomes our State, menaced as she is with a serious and unauthorised restriction of her present rights, and an ultimate overthrow of her domestic institutions, to assume her position, and publicly to declare and make known the course she will feel constrained to pursue, sooner than submit to such tyranny and oppression. She should take her position with the calm dignity of determined resistance, and maintain it with all the pertinacity of one who knows her rights, and knowing dares defend them. The hope is, therefore, earnestly expressed, that the legislature will take our position into serious consideration, and after mature reflection, place the State in such attitude before the Union and the world on this subject, as that her conduct, whatever it may be, shall have the unqualified approval of every man at home and abroad, who loves the country and revere the constitution.

No other subject of general interest presents itself to my mind as worthy of special notice.

In transmitting to the two houses of the Legislature this my last general communication, and being about to close an official connexion with the State which has existed for four years, the occasion is embraced to tender my grateful thanks to the people and their Representatives for the generous manner in which they have treated the errors of my administration. If the condition of the State has been improved and the general welfare promoted, the credit is due to the people and their officers, who have acted together

for this desirable end. Guided by the wisdom which is from on high, all interests have harmonized in bringing about an improved state of our public affairs; and it is gratifying to know that the same course hereafter, under the guidance of Divine Providence, will lead us to that high destiny which awaits our State in the no distant future.

We should never cease to remember the dependence we owe to our Father which is in Heaven, and our prayers should continually ascend, that He may vouchsafe to us wisdom in our deliberations, and a pure patriotism in the performance of every act, involving the welfare of our beloved country.

A. G. BROWN.

Executive Chamber, January 3rd, 1848.

ACCOMPANYING DOCUMENTS.

NORMAL SCHOOLS.

NATCHEZ, MI., November 24, 1847.

His Excellency A. G. Brown, Governor, &c.

SIR : In conversations which we have held upon the best means of advancing the cause of Popular Education in Mississippi, you have frequently repeated your conviction of the utility of NORMAL SCHOOLS for that purpose. As you design to bring this subject to the consideration of the Legislature, I beg leave to offer a brief compilation of the history of these Institutions, with a few reflections upon their adaptation to the peculiar and pressing educational wants of this State.

The word "*Normal*," derived from the Latin, literally signifies a "*square*," such as is used by carpenters, but as applied to schools, it signifies a *rule*, a *pattern*, a *model*. A Normal School, then, signifies "a school where the principles of teaching are taught, and where the art of teaching is exemplified in practice."

Prior to the year 1800, no general progress had been made in the world in the establishment of these Institutions. About the year 1704, the benevolent Franke succeeded in establishing a Teacher's Seminary at Halle, in Prussia. This Seminary supplied well-qualified teachers for the north of Germany. As early as 1730, lectures on *Pedagogik*, or the art of teaching, were regularly delivered in the universities of Germany. A seminary for teachers was established at Stettin, in Pomerania, in 1735; at Berlin, in 1748; in Hanover, in 1757. The Catholics and Protestants established Normal Schools at Breslau, in 1765 and 1767.

The successful Normal School of Mr. Prussin was established in Holland in 1816. The French law of Primary Instruction of 1833 provided, that there should be a Normal School in each of the eighty-six departments into which France was divided. In 1837, there were, says Mr. Guizot, then Minister of Public Instruction in France, eighty-three of these schools in full operation, "forming, in each department, a grand focus of light, scattering its rays in all directions among the people." Scotland has three

flourishing Normal Schools. A few years since, a Normal School was established by private enterprize in Battersea, England; and the church of England party has founded another at Chelsea, near London. In a recent report of the Borough Road School, London, it was remarked, that "the importance of teachers being properly trained for the work of instruction, is now generally admitted." In 1835, Lord Brougham declared in the British Parliament, that "Seminaries for training masters are an invaluable gift to mankind, and lead to the indefinite improvement of education. It is this," he added emphatically, "which, above every thing else, we ought to labor to introduce into our system. These training seminaries would not only teach the masters the branches of learning and science they are now deficient in, but would teach them what they know far less—the didactic art—the mode of imparting the knowledge which they have or may acquire; the best method of training and dealing with children, in all that regards both temper, capacity, and habits, and the means of stirring them to exertion and controlling their aberrations." In a report on education in Holland, the celebrated Cousin said: "I attach the greatest importance to Normal Primary Schools, and consider that all future success in the education of the people depends upon them. The best plans of instruction cannot be executed, except by the instrumentality of good teachers; and the State has done nothing for Popular Education, if it does not watch that those who devote themselves to teaching, be well prepared. In order to provide schools with masters, competent and conscientious, the care of their training must not be left to chance; the foundation of teachers' seminaries must be continued. I place all my hopes for the education of the people, in these seminaries." Martin Luther said of education: "In every age, even among the heathen, the necessity has been felt of having good schoolmasters in order to make anything respectable of a nation. But, surely, we are not to sit still and wait until they grow up of themselves. We can neither chop them out of wood, nor hew them out of stone. God will work no miracles to furnish that which we have no means to provide. We must, therefore, use our care and money to train up and make them." In 1838, the National Board of Education for Ireland founded a Normal School at Dublin. In 1842, the government of Belgium organized two Normal Schools—one in the

province of Antwerp, and one in the province of Brabant. The Sultan of Turkey has appointed a Minister of Public Instruction, and established a Normal School.

In this country, as long ago as 1789, a writer in the old *Massachusetts Magazine* proposed the creation of an Institution "in order to fit young gentlemen for college and *school-keeping*." He recommended that a Board of Trustees should annually examine young gentlemen designed for school-masters, adding: "No man ought to be suffered to superintend ever so small a school, except he has been first examined by a body of men of this character, and authorized for this purpose." In 1837, Massachusetts appointed a Board of Education. It was to this Board, composed of enlightened and philanthropic men, that this Commonwealth is indebted for the origin of her Normal Schools; and it was from an impulse given by private liberality, that her Legislature was induced to adopt those Institutions, under the title of the "*State Normal Schools*." The utility of such Institutions had been ably advocated in Massachusetts. Dr. Channing said: "We need an Institution for the formation of better teachers; and, until this step is taken, we can make no important progress. The most crying want in this Commonwealth is the want of accomplished teachers. Without good teaching, a school is but a name. An Institution for training men to train the young, would be a fountain of living waters, sending forth streams to refresh present and future ages." Hon. Horace Mann, the eloquent and learned secretary of the Massachusetts Board of Education, said: "Neither the art of printing, nor the trial by jury, nor a free press, nor free suffrage, can long exist, to any beneficial and salutary purpose, without schools for the training of teachers; for, if the character and qualifications of teachers be allowed to degenerate, the free press will become a false and licentious press, and ignorant voters will become venal voters, and through the medium and guise of republican forms, an oligarchy of profligate and flagitious men will govern the land; nay, the universal diffusion and ultimate triumph of all-glorious christianity itself must await the time when knowledge shall be diffused among men through the instrumentality of good schools. Coiled up in the Institution of Normal Schools, as in a spring, there is a vigor, whose uncoiling may wheel the spheres." In 1825, De Witt C'inton, then Governor of New York, recommend-

ed to the consideration of the Legislature "the education of competent teachers." In his message of 1826, he said: "I, therefore, recommend a seminary for the education of teachers." The system was not established in New York until 1844, for causes that will be stated hereafter in connection with another branch of the subject of this letter. In 1840, the secretary of State and Superintendent of Common Schools of Pennsylvania reported that, "The establishment of Normal Schools is an object worthy the attention of the Legislature, as a valuable means of laying the sure foundation for supplying all our primary schools with an adequate number of teachers."

From this skeleton of the history of Normal Schools, it will be observed that despotisms, monarchies, and republics, Mohammedanism and christianity, statesmen, philosophers, divines, patriots, and philanthropists have harmoniously united in commendation of the system. It would, therefore, manifestly be unnecessary to seek to array arguments to establish the utility of institutions which all governments, religions, and classes of minds seem to have approved. But, in respect to our own State, and the southern States in general, there exist additional reasons, and which are not found elsewhere, why our youth should receive instruction from those educated for the purpose among ourselves, rather than from teachers educated at the North. With rare exceptions, which deserve honorable mention, there is a too general want of congeniality of feeling and sentiment between such teachers and their pupils, arising from the marked difference of climate, institutions, manners, and customs which prevail in the extremes of the Union. I regret to say, that it has fallen within my own observation during the past summer, while engaged in selecting teachers for the public schools of Natchez, to discover among some of the instructors of the Northern Normal Schools an inclination to the doctrines of abolitionism, which, if indulged in, we may presume they are not slow to impart to their pupils. And, although we might safely confide that a residence in a slave State for a season would remove such prejudices, we are certainly not called upon to hazard that risk. Besides, if this objection were out of the way, I have been informed by the Hon. Horace Mann, that the demand for teachers at the North is fully equal to the annual supply from the Normal Schools; and, as the first obligation of the graduates

of those schools is to their own States, no sufficiency for our wants can be expected from those sources.

It was before observed, that in New York the institution of Normal Schools was delayed from 1826 to 1844. This unfortunate postponement arose from an erroneous plan of depending on colleges and academies for teachers. I relate the historical circumstances from having heard it suggested that our Legislature might possibly resolve to connect a Normal School with the University being established at Oxford. Such a Normal School as is wanted in this State should contain a majority of *female* pupils, which is incompatible with the plan of the University. And the kind of education bestowed generally in colleges does not produce that character of mind most useful for teachers. Great learning, without skill in teaching, will not make a good professor; while moderate attainments, with great skill as a teacher, will render one exceedingly useful. The most original and successful teacher of modern times, Pestalozzi, was not distinguished for learning or ability, except as a teacher. But the events in New York show the fallacy of relying upon colleges for teachers, even with great State patronage.

When, in 1826, Gov. Clinton recommended "a seminary for the education of teachers," Mr. John C. Spencer, then chairman of the Literature committee in the Senate, in his report, said: "Our great reliance for nurseries of teachers must be placed in our colleges and academies." In pursuit of this idea, the next year a bill was reported appropriating the income of \$150,000, to be divided among the academies. In 1830, the amount distributed to the academies was \$10,000, and the sum of \$169,716 had already been expended upon them. This continued for four years, and with very little success. In 1835, the scheme was changed, and the sum of \$12,000 was directed to be divided among eight academies, instead of fifty-five as before. In 1838, Gov. Marcy, referring to the fact that colleges and academies had been relied upon to supply qualified teachers, said: "But it has been quite evident, for some time, that further provision ought to be made by legislative authority to satisfy the public wants in this respect." Therefore, the sum of \$28,000 was directed to be divided among sixteen academies, for the purpose. In 1840, Mr. Spencer appointed commissioners to examine these beneficiary academies, and

enquire into the working of the plan. In 1841, a report was returned, acknowledging that the adademies had done some good, but pointing out the intrinsic defects of the system, and closing by recommending a Normal School. Mr. Spencer, however, persisted in his plan, and enlisted eight more academies in the work ; but, two years after, the inherent defects of the system prevailed ; and the Hon. Samuel Young, the celebrated advocate of schools, reported that the whole scheme of teachers' departments in colleges and academies had "*practically failed.*" The next year, New York hastened to appropriate \$10,000 a year, for five years, for the support of a Normal School, which has ever since prospered with triumphant success.

Upon the fatality that attended this ill-advised scheme in New York, the Common School Journal, a periodical edited by the Hon. Horace Mann, and a work to which I am indebted for many of the foregoing facts, holds the following language : "This attempt, so early undertaken and so long persevered in, to supply the want of Normal Schools, by opening teachers' departments in academies, was the most unfortunate step ever taken in New York, on the subject of education. It cost hundreds of thousands of dollars, and lost twenty years of time, after the necessity of more efficient means had become a conviction in the minds of all intelligent men. The progress of more than one entire generation of school children was sacrificed to this disastrous experiment. Precisely the same error, and defended as long as practicable, on the same grounds, had been committed in some parts of Prussia, during the last century. Had the projectors and advocates of this plan, in New York, been acquainted with the history and result of the same experiment in Germany, and had they been willing to receive wisdom gratuitously from the experience of others, instead of purchasing it at the price of a great misfortune to the State and discredit to themselves, they would have saved this vast expenditure of money, and this inappreciable loss of time. Yet, not wholly unfortunate or useless will the experiment prove, if it shall be the means of deterring other States from a similar course. What was a mistake in New York, would now be folly in any other State that shall follow her example."

Normal Schools, as usually established, require that candidates for admission should have attained to the age of seventeen years,

if males, and sixteen, if females. The course of study includes a period of three years, but is so arranged as to be completed in two years, or in one, as the candidates are found to possess more or less proficiency upon entering the school. As pre-requisites for admission, candidates must declare their intention to qualify themselves to become school-teachers: they must be examined and found versed in orthography, reading, writing, English grammar, geography, and arithmetic: they must be free from all infirmities which would unfit them for the office of teachers, and be possessed of good intellectual capacity, and of moral character and principles. The object of the schools is two-fold: first, the acquisition of a more thorough and systematic acquaintance with the branches usually taught in common schools, and a sufficient attainment in other parts of knowledge useful to the skillful teacher; and, secondly, the art of imparting instruction to the youthful mind, which will be taught in its principles and illustrated by practice, by means of a MODEL SCHOOL. The whole course might be as follows: orthography, reading, grammar, writing, drawing, composition, rhetoric, logic, arithmetic, elementary algebra and geometry, surveying, geography ancient and modern, chronology, statistics, general history, physiology, mental philosophy, music, natural philosophy, natural history, chemistry as applied to agriculture, astronomy, constitution of Mississippi and of the United States, the principles of christian ethics, piety and morality common to all sects of christians, and *the science and art of teaching*, as applicable to all the foregoing studies. The result of such an education must be to produce teachers able to teach the common branches as well as they can be taught; to impart, while doing this, valuable information; to bring the various powers of the mind into action; and to give energy and elevation to the character, so that its whole influence shall be constantly good and useful.

The wants of Mississippi for teachers are pressing; and one great reason why schools multiply among us so slowly is from the difficulty of procuring competent teachers. In 1840, the population of the State of over five and under twenty years of age was 67,459, and of this number but 11,243 were being educated at colleges, academies, or common schools. Therefore, it follows, that 56,216 children were then either educated by private instruction at home at enormous expense, or *not educated at all*, comprising five-sixths

of the rising generation. At this day, admitting that the means of instruction have been increased one hundred per cent., there must be more than 100,000 children imperfectly, if at all, educated. In 1840, the number of free white persons over twenty years of age in this State was 73,838. Of this number 8,360, or about one in every nine persons, *could neither read nor write*. The population of over twenty years of age had in 1840 increased over that of 1830 one hundred and fifty per cent., and if the same ratio has since been maintained, together with that of those who can neither read nor write, there must now be in the State about 17,000 persons over twenty years of age, who can neither read nor write, and the census of 1850 will show that number to have swelled to 25,601.

A Normal School, which shall be capable of receiving at least one hundred and twenty pupils can be conducted successfully in this State at the annual expense of \$3500. Competent instructors cannot be procured at less salaries than \$1500 per annum for a principal teacher, and \$1000 per annum for an assistant teacher. The sum of \$1000 would then remain for rent of school buildings, servant hire, repair of fixtures, and current and incidental charges and expenses. The sum of \$500 would be required at the commencement, as an outfit to provide school fixtures and indispensable apparatus.

The great probability is, that in the course of time not very far distant, the wants of this State will imperatively demand certainly two and perhaps three Normal Schools, such as have just been described. There is an awakening and a revival among us upon the subject of Popular Instruction that is growing in zeal and determination every day. Revolutions for good, indeed, never go backward; and, as has been well said, when the wheels of education commence rolling on, those who will not go with them, must go under them.

Should the legislative authority, at its approaching session, determine to establish a Normal School, say, but as an experiment for *five* years, which is the least period of time that it can safely be limited to in view of a fair and full trial, the necessity will be imposed upon it of selecting the location. If, as has been said, and as is truly believed by many who have reflected profoundly upon the subject, there will ultimately be established *three* such schools,

the natural geographical positions would be at some northern, some middle, and some southern point in the State. In establishing but *one*, at the outset, I would therefore respectfully suggest it should be so located as to admit of a subsequent increase without interfering with that already established. And other things being equal, or only nearly so, I should deem it desirable to select that place, in the first instance, where the most liberal co-operation might be tendered on the part of the citizens, and where a warm, vigilant and intelligent local sympathy would lend an enhanced interest to the encouragement and prosperity of the school. There can be no danger that the cause of education will languish when entrusted to those animated with such spirit and resolution.

On the 4th of July, 1845, the citizens of Natchez established the system of public schools for all the free white children over five years of age, within the limits of the city. These schools are conducted by a board of seven visitors, a principal and thirteen teachers, including a teacher of writing. The course of education embraces, besides the common branches, those of a higher order required for admission into the first Universities of the Union. Since the commencement of the school, there have been admitted 829 pupils, male and female, and 75 have been discharged to seek admission into colleges and counting-houses, and to pursue trades and other avocations in life. The result of this experiment has been to fasten the system upon the affections of the people, and to induce them to engraft into the charter of their corporation a provision requiring the annual levy, by taxation, of a sum not greater than \$10,000 for the support of this system of education. It is not hazarding too much to assert that these schools will compare favorably with any other public schools, or any academies, of a like grade, in the United States. Here, then, can be found "*a model school*," of precisely the character which is indispensable for practical instruction in the art of teaching, and without the aid of which, a Normal School is robbed of half its utility and chance of success. As may be supposed, there is now in this city an extensive and fast-increasing interest on the subject of education. There are also here men of education, patriotism and philanthropy, who would cheerfully and gratuitously discharge the supervisory duties and labors necessary in a Normal School, convinced of the sympathy and assistance of the public. The spot is unobjectionable upon

the score of healthiness, for during the past two years and a half, there have been but three deaths from disease among the whole number of the pupils of the school; and for the last seven years, the general health of the place has had no parallel anywhere.—There are likewise here Christian churches of all the leading denominations—Baptist, Presbyterian, Methodist, Episcopalian and Catholic. There are facilities for procuring appropriate buildings for a Normal School; and the necessities of life for pupils can be had as cheaply and as good as at any other point in the State.

In presenting the city of Natchez, as a point highly eligible and advisable for the location of what I think must ultimately become the Southern State Normal School, I feel myself actuated by the single sentiment of a sincere conviction that at present no other spot combines so many advantages and opportunities for its successful organization, trial and experiment; and, I am satisfied that every friend of education would allow no other considerations to influence him in forming a conclusion upon a subject so momentous, as the best means of happily undertaking and successfully conducting an establishment freighted with such blessings to his country and his race.

There are many matters of detail which I have been compelled to omit, and I am nevertheless fearful that I have already trespassed too much upon your time. I trust the importance of the subject and an earnest desire to lend some small aid to so benevolent a cause, will be received as apologies for the length of the letter.

I have the honor to remain, very respectfully,

Your friend and fellow-citizen,

J. S. B. THACHER.

Report of the Principal of the Mississippi Institution for the Education of the Blind, to his Excellency Gov. A. G. Brown.

DEAR SIR: In obedience to the suggestion with which you were not long since pleased to honor me, I beg leave to lay before you a summary account of my proceedings in this State, relative to the education of the blind, together with an account of the manner in which Northern Institutions for the blind have been established by the Legislatures of the States where they exist; after which,

I shall present for your consideration some remarks relative to a plan for the establishment of an Institution for the education of the blind in this State.

During the early part of the last session of the Legislature, I visited the city of Jackson with one of my pupils, (an educated blind young lady,) who was examined in the Legislative Hall; the object of which was to interest the Legislature in this benevolent enterprise. But owing to the little attention which the public had previously given to the subject, it was thought best, by those favorable to the establishment of an institution, that a small school be formed of blind persons, (citizens of this State) who might be supported, it was thought, by private contributions, until the ensuing session of the Legislature, at which time the members might have a fair test of the practicability of educating this class of persons. Accordingly, a school was commenced in March last, under my directions, but wishing to visit various parts of the State in quest of accurate information relative to the condition of the blind, generally, I obtained the services of Mr. P. Lane, who is a graduate of the New York Institution for the Blind, and who has instructed the pupils during the year with great credit to himself and advantage to the establishment. The pupils received into the institution were entirely uninformed relative to the principles of education, at its commencement. But the case is very different now; for within the five months in which they have been instructed, they have not only learned to read in the Bible with some accuracy, but have acquired considerable knowledge of grammar, geography, and arithmetic. My time, since the commencement of the institution, has been principally employed in visiting the blind in different parts of the State, soliciting funds for the support of the establishment, and obtaining signatures to petitions praying the Legislature to provide for the education of the blind, at its next session. There are, according to the census, one hundred and thirteen blind persons in this State—the majority of whom are not only destitute of education, but also of the means of obtaining it. Let me remark here, that whatever I state, relative to the pecuniary disabilities of the blind, is corroborated by the reports of the directors of institutions for the blind, which have been established in the United States. All agree that a very great majority of this class, is in indigent circumstances. For my own part, I feel safe in stating

that at least four-fifths of those who compose this class of persons, are without the means of providing for an education. But what makes their condition still more deplorable is, that there is little or no effort made by the parents and friends of the blind, to improve their intellectual and moral condition by oral instruction, which might be made of incalculable benefit to the blind, and give very little trouble to those having charge of them. The fact is, it is too frequently the case, that those most intimately connected with the blind, are apt to under-value their capacities; it is therefore thought unnecessary to use means for their improvement. Hence, what are the effects of this neglect? While their minds formed for effort and research, are chained down to a circumscribed sphere of action, the disposition must necessarily be petulant, gloomy and disagreeable. It has been my lot, during the last few years, to visit many touching scenes of misery and degradation, but among them all, I know of none better calculated to excite deep sympathy in the human heart, than the condition of the uneducated blind, which unameliorated, must ever be hopeless. But it gives me great pleasure to state that a lively interest has been manifested by the public generally, for the welfare of those unfortunate beings; for they have not only willingly contributed to the support of the existing establishment, but have testified by the numerous petitions which they have filled with their signatures, their willingness to sanction the adoption of means providing for the education of the whole of the blind of this State.

In regard to the history of the establishment of institutions of this kind by State Legislatures, I would remark, that two plans appear to have been adopted in the New England, New York, and Pennsylvania institutions for the education of the blind. Societies, the members of which subscribed certain amounts annually, were made corporate bodies by their respective Legislatures, having power to receive the funds appropriated by the State, to be applied to the education of the blind of the respective States, as they might think best. Those societies, consisting of from two to five hundred members each, meet once a year, and select from among them a stated number of persons, who are denominated managers. These select suitable persons as teachers of the institution. It is to be remarked here, however, that the society of the New England Institution has only joint authority with the Principal of the establishment.—

Notwithstanding some advantages that may exist in having the influence of large societies in favor of charities of this kind, it has yet been found that the arrangement is highly exceptionable. This has been especially so in the New York school, where there has been a continual change of principal and teachers during the last several years, and where little advancement has been made by the pupils. The second plan is more rational, and has been adopted by the Legislatures of the more Southern and Western States.—The amounts appropriated by the States, are payable to a stated number of trustees residing where the various institutions are established, and who are appointed either by their own body or the Governor. These trustees are authorized to select suitable persons to conduct the institutions, and to fix their salaries; but in one or two instances, the salaries of the officers of institutions are fixed by the Legislature.

It is my opinion that an institution might be established with entire safety to the State, by the Legislature appropriating a certain sum annually, to be applied to the objects of the institution, and by making it the duty of the Governor to appoint three trustees, who might draw the funds quarterly, whose duty it should be also to elect suitable persons to carry out the objects of the institution, and to fix their salaries. By this arrangement, the institution would always be open for inspection, and a fair representation of its condition could be had, whenever called for by the public; and not only so, if the trustees were judiciously appointed, each belonging to a different denomination of Christians—sectarianism, which is incompatible with an institution of this kind, would be avoided, and thus this noble charity would accomplish its legitimate end, namely, that of making wiser and happier its beneficiaries. It is not expected that a school for the blind in this State, will ever be large like the more Northern schools, for in those States the population being more dense, the blind are far more numerous. A small appropriation, therefore, say three thousand dollars annually, would be sufficient to carry out all the desirable objects of an enterprise like this, at least for some time to come.

I will say, in conclusion, that should what I have presented, be found at all useful to those who are interested in this laudable

work of benevolence, I shall consider the labor bestowed in presenting the facts more than remunerated.

I am, my dear sir, with great respect, your obedient servant,

JAMES CHAMPLIN.

His Excellency A. G. BROWN.

Sharon, Miss.

The Virginia Resolutions, as passed by the House of Delegates.

WHEREAS, A bill appropriating money to prosecute war, or to negotiate peace with the Republic of Mexico, has passed the House of Representatives of the Congress of the United States with the following proviso attached thereto :

“*Resolved*, That as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and the use by the Executive of the moneys herein appropriated; neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime whereof the party shall be first duly convicted.”

And this General Assembly deeming it to be destructive of the compromises of the Constitution of the United States, and an attack on the dearest rights of the South, as well as a dangerous and alarming usurpation by the Federal Government—therefore,

Be it resolved unanimously by the General Assembly of Virginia, That the Government of the United States has no control, directly or indirectly, mediately or immediately, over the institution of slavery, and that, in taking any such control, it transcends the limits of its legitimate functions, by destroying the internal organization of the sovereignties that created it.

2. *Resolved unanimously*, That under no circumstances will this body recognize as binding, any enactment of the Federal Government, which has for its object the prohibition of slavery in any territory to be acquired, either by conquest or treaty, holding it to be the natural and inalienable right of each and every citizen of each and every State of the Confederacy, to reside with his property, of whatever description, in any territory which may be acquired by the arms of the United States, or yielded by treaty with any foreign power.

3. *Resolved unanimously*, That this General Assembly holds it to be the duty of every man, in every section of this Confederacy, if the Union is dear to him, to oppose the passage of any law, for whatever purpose, by which territory to be acquired may be subject to such restriction.

4. *Resolved unanimously*, That the passage of the above mentioned *proviso*, makes it the duty of every slaveholding State, and all the citizens thereof, as they value their dearest privileges, their sovereignty, their independence, their right of property, to take firm, united and concerted action in this emergency.

OXFORD, MISS., Dec. 23d, 1847.

To His Excellency, A. G. Brown, Governor, &c.

Upon the request of the President of the Board of Trustees of the State University, the executive committee beg leave to report to your Excellency the condition of the buildings now in progress. For a description of the buildings &c. we refer you to the enclosed printed extract.

The principal edifice mentioned therein is almost finished. The capitals for the pillars are yet to be made and put up; they are under contract at Cincinnati, or have been written for. Two coats of plastering and a portion of the painting will have to be done early in the spring. Ten days work besides this will complete the building.

One of the dormitories described is almost completed except the plastering and painting. Two Professors' houses and kitchens are ready for the roof, and will be finished early in the spring.— One other dormitory is in the third story of the brick work; ten days or two weeks good weather would enable them to finish the wall. The carpenter's work is forward, and we expect to have it covered in this winter, and we expect to have it completed by the 1st of May. The Steward's Hall will be to plaster and paint after winter is past. The remaining building for the Faculty is not commenced, but will be commenced as soon as spring opens, as the contractors are ready. This contract has not been closed until recently.

It is the opinion of the Architect, that the main building, one dormitory building, the Steward's Hall, and two professors' houses

will be completed by the 1st of May, and the other two buildings by the 1st of July next. We think this opinion extends the time further than is necessary, but concur with him, that they will be complete by the times mentioned by him.

This communication is delayed beyond the time required, but the absence of the committee and other causes, have prevented us from making it earlier, and it is now made in much haste, but is deemed substantially correct.

Respectfully submitted;

JAMES M. HOWRY,

Chr'n. Ex. Committee.

"The University Buildings consist of a principal edifice to be devoted entirely to Academic pursuits. The plan is a parallelogram 90 feet by 55, and is technically termed *Prostyle*, having a heastyle portico on the entrance front. The proportions of the columns and entablature of the portico are taken from the Grecian Ionic Temple on the Illyssus near Athens.

In the divisions of the first floor there are two recitation rooms and a laboratory with a spacious hall for apparatus and lectures, illustrative of Chemistry, Electricity, Geology, &c. &c., and for methodizing the science of Agriculture—that key-stone of the fabric of the prosperity and happiness of the people of Mississippi. On the second floor is a lecture room 52 feet by 24 feet, and two recitation rooms each 36 by 26 feet.

On the third story, a Library and Museum and two ample Society rooms.

The two Dormitories are each 120 feet by 32 feet three stories high—they are divided into 72 rooms, 15 feet by 15 feet—well lighted and ventilated and fire place in each.

The four dwelling houses for the Faculty will each be provided with six commodious family rooms, kitchen, out-houses and a garden.

The Hotel or Stewards Hall, is provided with a large dining room, store room and larder, on the lower floor, and comfortable family rooms for the keeper on the second story. The kitchen is fitted with every convenience for culinary purposes—chambers for servants, and the garden can be of any desirable extent—and to invite some genteel family to seek the management of this estab-

lishment every effort has been made to render it roomy, convenient and respectable.

The disposition of the several buildings is on the out side of a semi-circular avenue 200 yards in diameter, rising with a gentle ascent from the ends to the centre or summit where the principal edifice with its commanding portico is raised. At each end of the semi-circle is a block of dwelling houses for the Faculty with their appendages, and midway between these and the principal building are set the Dormitories—leaving a space of 150 feet between the buildings. The area formed by the avenue, when fenced, will present a space for Botanic experiments, &c.”

TREASURER'S REPORT.

*To the Honorable the Legislature of the State of Mississippi,
January session, 1848.*

I have the honor herewith of reporting to you the receipts and disbursements at the State Treasury, commencing on the first day of January, 1846, (the period at which the examination of my accounts by the last legislative committee of accounts closed, as per their report,) and terminating on the 22d November, 1847, the end of my official term, when I surrendered the Treasury office to my successor Richard Griffith, the specifications of which will be found in the following documents also herewith transmitted:

Document marked A, shews the amount received into and paid out of the Treasury monthly, beginning with January and ending with December, 1846, both months inclusive, by which it will be seen that at the latter period there was in the Treasury, in gold and silver, of State funds, the sum of \$2,504 99 $\frac{3}{4}$: and document marked B, shews the sources from whence the revenue was derived, and the respective sums from each; and also the amount paid out on Auditor's Warrants on each department, for the fiscal year commencing the 1st March, 1846, and ending the 30th April, 1847, both days inclusive.

Document marked B, presents the receipts and disbursements at the Treasury for each month, commencing on the 1st January, and ending on the 22d November, 1847, the day on which my duties as Treasurer of the State terminated, by which it will be seen that there was of State funds in the Treasury at the latter

period, in gold and silver, \$120,353 53, which sum I paid to my successor Richard Griffith, on that day, which will appear by reference to his receipt dated the 22d November, 1847, for that sum, which will be exhibited when required.

Document marked C, exhibits the sums received into the Treasury, from the different sources from which revenue is derived by the State; at the same time it shews the amount disbursed on account of Auditor's Warrants drawn upon the different departments, from the 1st May, (the commencement of the fiscal year, under the act of 1846,) to the 22d November, 1847, the end of my official term, all of which will more satisfactorily appear by an examination and comparison of my books and vouchers by your committee; all of which await their inspection and examination, at such time as may suit their convenience—which examination I trust will be the most *thorough* and *minute*, into all of my official acts, that can be instituted.

On document marked D, you will find an account stated between the State and the 2 and 3 per cent. fund jointly, and that the balance due from me to those two funds was, on the 22d November last, \$213,020 77, which was also paid by me to Richard Griffith, State Treasurer, as per his receipt dated the 22d November, 1847, which receipt will also be submitted to your inspection.

Document marked E, presents the balances due the different funds to which the State sustains the attitude of trustee; also the amount of R. S. Graves' defalcation to the two and three per cent. funds.

It will be perceived by adding the balances due to the two and three per cent. funds, that they fall a little short of the sum that I paid to R. Griffith as belonging to them, the reason of which is, that the Sheriff of Yazoo, in settling for the State tax of his county, paid in a small warrant on the two per cent. fund, which on my ledger stands to the debit of the fund, and lessens the balance due by that amount.

I have presented no statement of the outstanding Auditor's Warrants and funded scrip, believing that it would be desirable to you to have information upon that subject to the 1st January, 1848, and that this information would be furnished by the present incumbent.

The amount outstanding cannot be large, because I have been

paying at the Treasury all warrants presented, since January 1846, until I settled with my successor, excepting a few days in January and February last: I have concluded, therefore, that any person having warrants and desiring the cash, would have presented them for payment.

When we take into consideration the fact that only four years since, there were warrants outstanding against the State, amounting to more than six hundred thousand dollars; that then they were fifty per cent. below par, and had for a long time, and still continued to constitute an article of traffic and speculation, in the State and out of it, it is but reasonable to suppose that considerable sums have been worn out, lost, or destroyed by fire and other casualties, to which a paper circulation is always subject; hence I have concluded that but little more, if any, is now outstanding (except a small amount of funded script,) than will be at any subsequent period, so long as they remain redeemable upon presentation at the Treasury. Persons having State Warrants, and no immediate use for the money, and knowing that they can draw it from the Treasury when they may desire to do so, will for convenience of keeping and transportation, prefer the Warrants to the specie.

I take great pleasure in communicating the fact to you, that the State has not lost one cent at this office since I have been the Treasurer of the State, either by forgeries or otherwise; and in my account with the State, I stand charged with, and have accounted for the full amount of the receipt Warrants presented at this office, from the time that I assumed its duties under the Executive appointment by ex-Governor Tucker in March, 1843, to the time that I surrendered it to my successor, on the 22d of November, 1847.

It is true that in counting and receiving specie, I have sometimes inadvertently received counterfeit coin, yet the loss has fallen upon myself and not upon the State.

In closing this, my last communication, to the representatives of my late constituents, I trust that I may be permitted to say, without the charge of egotism, that I have, from the first day that I entered upon my official duties as State Treasurer, to that on which I left the department, watched the interest of the State with sleepless vigilance; nor have I, as Treasurer of the State, done a *favor* for, or withheld justice from any man; and if, in the discharge of the

various duties devolving upon me in my fiduciary character, I have erred to the injury of the State, or any citizen thereof, I stand prepared at any moment to redress the wrong and atone for the injury.

I have the honor to be, very respectfully, your ob't serv't,

W. CLARK,

Late Treasurer of the State of Mississippi.

JACKSON, January 4th, 1848.

[EXHIBIT A.]

AN ACCOUNT Showing the Receipts and Disbursements in the State Treasury, from the 1st January to the 23d of Nov., 1847.

Dr.

This amount received in the Treasury in the month of			
	January, 1847.	3,286	20 $\frac{2}{3}$
	February, "	151,509	68
	March, "	56,149	94 $\frac{1}{2}$
	April, "	105,573	71 $\frac{1}{2}$
	May, "	115,622	03
	June, "	39,289	35
	July, "	460	00
	August, "	1,668	41
	September "	2,947	78 $\frac{1}{2}$
	October, "	2,056	92
	November "	9,668	37
		\$ 488,232	41 $\frac{1}{2}$
To balance of the 2 and 3 per cent fund received from Mrs. Graves, remaining in the Treasury on the 31st December, 1846, - - -		81,550	00
" Interest from G. Fearn, treasurer of B. R. R. Co. upon the U. S. Treasury notes paid him,		1,380	00
" Interest from D. O. Williams, upon the U. States Treasury notes paid him, - - -		27	00
" Interest from A. Virden, upon do. to him.		6	00
" " " Doct. Montgomery, - - -		6	00
" Cash in the Treasury when I came into office, see Journal A, page 34, - - -		6	50
" Cash in the Treasury 31st Dec., 1846, see Jour- nal B, page 185,		2,504	99 $\frac{3}{4}$
		\$ 573,712	91 $\frac{1}{2}$

[EXHIBIT A,] Continued,

AN ACCOUNT Showing the Receipts and Disbursements in the State Treasury, from the 1st January, to the 23d Nov., 1847.

Cr.

By this amount disbursed from the Treasury in Jan- ary, 1847, - - - - -	5,760	99 $\frac{3}{4}$
February, "	13,019	32
March, "	44,032	53 $\frac{3}{4}$
April, "	42,947	44 $\frac{1}{2}$
May, "	65,465	44
June, "	14,103	77
July, "	9,656	20
August, "	8,028	03 $\frac{3}{4}$
September, "	7,734	77 $\frac{1}{2}$
October, "	4,022	67
November, "	25,567	43
	\$ 240,338	61 $\frac{1}{2}$
" Paid to Richard Griffith, Treasurer of 2 and 3 per cent. fund, pre receipt, - - -	213,020	77
" Paid Gold and Silver belonging to the State Funds, per receipt, - - - - -	120,353	53
	\$ 573,712	91 $\frac{1}{2}$

[EXHIBIT A,] Continued.

The State of Mississippi, in account with the 2 and 3 per Cent Fund.

Dr.

To this sum received of Mrs. Graves, in U. States Treasury Notes belonging to this fund, -	92,600	00
" 6 per cent. interest on \$23,450, the amount of the above notes paid out by virtue of an act of the last Legislature, - - - -	1,407	00
	\$ 94,007	00
" This sum received from Gov. Brown, of the 2 per cent. fund, - - - -	143,831	77
	237,838	77
" 6 per cent. interest on the \$450 paid out to D. O. Williams, - - - \$ 27 00		
" Interest on a hundred dollar note exchanged with A. Virden for Am. Gold, 6 00		
" Do. do. with Dr. Montgomery, 6 00	39	00
	\$ 237,877	77

N. B. At the session of the Legislature in 1846, Journal B, page 59, I accounted for the foreign Gold received from Mrs. Graves as per Journal A, page 34, amounting to \$2,747 68.

Cr.

By this sum paid to G. Fearn, Treasurer of the B. R. R. Co., as per my books 1846-7, -	23,000	00
By this sum paid to D. O. Williams, - -	450	06
" 6 per cent. interest on \$23,450, the amount of notes used in 1846-7, in the above payments,	1,407	00
	\$ 24,857	00
" This sum paid to R. Griffith Treasurer, as per receipt, - - - -	213,020	77
	\$ 237,877	77

W. CLARK

Ex-Treasurer of Mississippi.

Jackson, 4th January, 1848.

STATEMENT Showing the indebtedness of the State of Mississippi to the following funds on the 22d November, 1847.

To the Seminary Fund,	- - - -	97,065 40
" Litterary "	- - - -	1,444 30½
" 2 per cent. "	- - - -	201,059 43
" 3 " " "	- - - -	11,846 23
" Sinking Fund,	\$110,403 71½	
If you deduct the Plan-		
ters' Bank Bonds, p'd, \$15,000		
Also the Coupons of in-		
terest upon the same,		
	3,167 10—18,167 10	92,236 61½
		\$403,651 98½
Deduct the am't of the 2 and 3 per		
cent. fund now in the Treasury,	\$213,020 77	
Deduct also the am't of State funds in		
the Treasury,	120,353 53	\$333,374 30
		\$70,277 68½

The States liabilities to the above funds exceeds the cash in the Treasury, by the sum of seventy thousand two hundred and seventy-seven dollars and sixty-eight and one-third cents.

The amount of R. S. Graves' defalcation to the 2 and 3 per cent. funds is \$69,652 32.

[EXHIBIT B.]

*AN ACCOUNT showing the Receipts and Disbursements into
Treasury, from the 1st March 1846, to the 30th April, 1847.*

Dr.

1846.

March 2d, To the State tax from 1st March,			
1846, to the 30th of April, 1847,	-	286	343,775 71
To retail license,	-	292	4,071 68
“ Hawkers and pedlars,	-	299	884 98
“ Sinking Fund,	-	404	13,059 59
“ Public Printing,	-	323	66 00
“ Repairing Fund,	-	406	5 50
“ Billiard table,	-	418	340 00
“ Seminary Fund,	-	425	7,997 57
“ Planters’ Bank Bonds,	-	450	1,004 00
“ Town Lot Fund,	-	409	979 00
“ Two per cent Fund,	-	447	143,831 77
			\$516,015 80½

[EXHIBIT B.] Continued.

AN ACCOUNT, showing the Receipts and Disbursements in the Treasury, from the 1st March, 1846, to the 30th April, 1847.

Cr.

By the funded debt department, - - -	301	63,201	59½
" Printers' fees, - - -	305	70	00
" Classifying lands, - - -	307	250	00
" Revolutionary soldiers, - - -	310	4,197	96
" Appropriations, - - -	313	25,661	95½
" Public printing department, - - -	323	8,486	28
" Locating State Lands, - - -	328	50	00
" Commissions for assessing, - - -	333	11,875	70
" Election department, - - -	336	194	00
" Interest on funded debt, - - -	338	4,774	47½
" Executive department, - - -	343	10,067	44
" Legislative department, - - -	348	11,808	59
" Judiciary department, - - -	364	99,469	27½
" Census department, - - -	375	1,662	45
" Militia department, - - -	380	2,366	27½
" State library department, - - -	385	3,151	70
" Contingent fund, - - -	389	5,381	86
" Expenditures of the Penitentiary, - - -	393	22,947	00
" Officers of public buildings, - - -	397	270	00
" Public buildings, - - -	398	50	00
" Town lot department, - - -	400	20	00
" Repairing fund, - - -	406	6	75
" Governor's house, - - -	409	280	00
" Andior's contingent fund, - - -	411	1,720	73
" Acknowledgment of State deeds, - - -	412	83	00
" Distributing the laws and journals, - - -	414	314	99
" Recording State deeds, - - -	416	698	07
" Seminary fund, - - -	425	15,250	00
" Penitentiary department, - - -	428	101	00
" Miscellaneous department, - - -	430	20,000	00
" State Capitol department, - - -	431	786	00
" Escheats department, - - -	433	65	04
" Common schools, - - -	445	500	00
" Two per cent fund, - - -	447	19,530	00
" Appropriations to fence in the Capitol, - - -	449	3,085	24
" Planter's Bank Bonds, - - -	451	7,010	61
" Executed slaves, - - -	453	1,293	75
" Vaccine agency, - - -	455	400	00
		\$347,081	73½

W. CLARK.

Ex-Treasurer of Miss.

JACKSON, January 4th, 1848.

[EXHIBIT C.]

AN ACCOUNT Showing the Receipts and Disbursements in the Treasury of the State of Mississippi, from the 1st of January to 31st December, 1846.

		Dr.
Received into the Treasury in	January, 1846.	72,208 87
	February, "	112,602 82
	March, "	129,737 78
	April, "	29,691 14
	May, "	18,596 56
	June, "	6,590 96
	July, "	3,867 48
	August, "	5,833 52
	September "	
	October, "	510 10
	November "	3,857 63
	December "	811 08
		\$ 381,307 95

This amount, the balance in the Treasury, 1st
January, 1847, - - - - - \$2,504 99

[EXHIBIT C,] Continued.

Cr.

Disbursed in the year 1846,	January,	72,229 98
	February,	79,134 97½
	March,	68,969 18
	April,	30,499 06½
	May,	15,413 17½
	June,	33,440 48½
	July,	12,806 11
	August,	16,937 95½
	September,	10,861 16
	October,	17,584 54
	November,	24,697 94
	December,	10,111 84½
		\$ 392,686 36½
This amount due the Treasurer 1st January, 1846,		
see Journal, page 59,	- - - -	166 60
1846.		\$ 392,852 96½
June 24, This am't paid G. Fearn, Treas-		
urer, upon the requisition of		
Gov. A. G. Brown, of the 2		
per cent. fund,	2,120 00	
" 30, This am't paid D. O. Williams,		
upon the requisition of Gov.		
A. G. Brown,	450 00	
July 15, This am't paid G. Fearn, Treas-		
urer of B. R. R. Co., upon		
the requisition of Gov. A. G.		
Brown,	3,180 00	
Nov. 4, This am't paid G. Fearn, Treas-		
urer, &c.,	5,300 00	11,050 00
		\$ 381,802 96½
Of the above payments made to Fearn & Williams,		
the sum of \$10,450, of which was in U. S. Treas-		
ury notes, and \$600 was the interest on all of it		
except the \$450 paid to D. O. Williams, which is		
carried to the account of 1847,		
This amount, a balance in the Treasury on the 1st		
January, 1847,	- - - -	2,504 99½
		\$ 384,307 95½

W. CLARK,

Ex-Treasurer of Mississippi.

Jackson, 4th January, 1848.

[EXHIBIT D.]

AN ACCOUNT, Showing the Receipts and Disbursements in the Treasury, from the 1st of May, 1847, to the 23d Nov. 1847.

Dr.

1847.

May.	To the State-tax up to the 23d Nov. 1847.	290	157,928	39½
"	Retail licenses, - - -	292	925	61
"	Town lots, - - -	400	1,204	00
"	Sinking fund, - - -	404	12,850	58
"	Seminary fund, - - -	425	804	28
			\$173,712	86½

[EXHIBIT D.] Continued.

AN ACCOUNT, showing the Receipts and Disbursements in the Treasury, from 1st of May, 1847, to the 23d of Nov. 1847.

Cr.

By the funded debt, - - - -	303	24,264	12½
“ Classifying lands, - - - -	307	27	00
“ Revolutionary soldiers, - - -	316	1,113	94
“ Appropriations, - - - -	314	2,641	13
“ Public printing, - - - -	323	1,520	15
“ Commissions for assessing, - -	333	7,587	22
“ Interest on funded debt, - - -	339	641	24
“ Executive department, - - -	343	4,858	23
“ Legislative department, - - -	348	16	00
“ Judiciary department, - - -	366	51,577	92½
“ Census department, - - - -	375	42	48
“ Militia department, - - - -	380	767	00
“ State library, - - - -	385	975	04
“ Contingent fund, - - - -	389	1,112	74
“ Expenses of the penitentiary, -	393	5,074	20
“ Officers of public buildings, -	397	50	00
“ Repairing fund, - - - -	406	16	95
“ Governor’s house, - - - -	409	65	00
“ Auditor’s contingent fund, - -	411	658	31
“ Recording State deeds, - - -	416	100	00
“ Seminary fund, - - - -	425	10,800	00
“ Escheat department, - - - -	433	20	00
“ Executing deeds, - - - -	435	538	20
“ Common schools, - - - -	405	377	76
“ The two per cent fund, - - -	447	5,300	00
“ Appropriation to fence in the capitol,	449	1,577	18
“ Planter’s bank bonds, - - -	451	11,156	49
“ Executed slaves, - - - -	453	1,322	50
“ Vaccine agency, - - - -	455	200	00
“ State deeds, - - - -	456	177	53
		<u>\$134,578</u>	<u>32½</u>

W. CLARK,
Ex-Treasurer of Miss.

JACKSON, January 4th, 1848.

AUDITOR'S REPORT.

AUDITOR'S OFFICE, November 23d, 1847.

His Excellency, A. G. Brown,

Governor of the State of Mississippi:

SIR: My connection with the office, which, by the suffrages of my fellow-citizens, I have held for nearly six years, being about to cease, impelled by a sense of duty, and in obedience to law, I herewith present you a report of the fiscal concerns of the State from the first day of January to the present date, both days inclusive.

I have, with much labor, prepared tables containing statements in detail, of the whole taxable property of each county in the State, separately, giving the value of, and tax upon each item. Also, a statement of the prospective revenue to be derived from all lands now owned by individuals, which had not been purchased from the United States five years prior to the assessments. Should the rate of taxation on lands remain as established by the late revenue law, these tables show the prospective increase in the revenue to be derived from lands, until after the year 1848.

I have also, from these tables compiled one general tabular statement, embracing all the items in the first mentioned tables, and presenting at one view, and in detail, every item of taxable property in the State, and the tax derived from each: with a view also to furnish data (so far as the assessment lists would enable me) to the Legislature upon which it might act advisedly, in reference to the public lands within the State, the school lands, and the lands held by the State, I have given the number of acres of vacant land, school lands, and State's lands, with the value of each. I will, however, remark that the assessments of the State's lands are very imperfect, especially, of those purchased by the State at tax sales. In many of the counties, the lands held by the State by virtue of said purchases, are assessed to individuals. Hence the statement derived from the assessment lists, herewith presented, exhibits the quantity

of these lands much less than it really is. I will remark further, that said statement embraces only the lands assessed to the State in 1846, since which time, under the act of the last Legislature, making the State a purchaser at tax sales, the quantity of lands now held by the State has been more than doubled.

The aggregate results of the items presented in the general table above alluded to, in the whole State, are as follows:

Acres land taxable in 1846,	15,232,389,	valued at \$56,140,502	82
“ additional “ “ 1847,	196,091,	“	142,763 92
“ “ “ 1848,	87,086,	“	207,458 39
“ “ “ after 1848,	503,940,	“	860,760 48
“ of vacant lands,	11,322,147,	“	4,685,011 88
“ held by the State,	470,064,	“	782,888 92
“ of school lands,	561,271,	“	807,226 16
Total numb'r acr's in State,	29,406,350,	“	65,740,742 68

The average value of which, per acre, is \$2 58½

The total State tax on lands for 1846, is shown to be 146,490 36

The additional tax on lands becoming taxable in 1847, is shown to be \$401 14, which added to the tax on lands for 1846, gives the land tax for 1847, : : : : 146,891 50

The additional land tax due in 1848, is \$517 62, which added to the tax of 1847, makes the land tax for 1848, : : : : 147,409 12

And the additional land tax due after 1848, is \$2,- 146 79, which added to the tax for 1848, gives the land tax after 1848, : : : : 149,555 91

This estimate of the land tax after 1848, is founded on the assumption that the present rate of one-fourth of one per cent. *ad valorem*, will be continued; and that the assessment next year will present the same valuation of the lands, as the last assessment; but the new assessment may vary the valuation of the last assessment, and the amount of taxes will vary accordingly.

In reference to the personal property subject to taxation in the State, the aggregate, as shown by the aforesaid table, is as follows:

Money loaned at interest,	: : \$1,648,021 94,
<i>Ad valorem</i> tax, State tax,	: : \$4,944 06

Merchandise sold by merchants,	7,356,642 15,	
<i>Ad valorem</i> tax, State tax,	: : :	22,069 92\
Bank Stock, : : : :	5,529,075 00,	
<i>Ad valorem</i> tax, State tax,	: : :	13,822 69
Merchandise sold at auction, : : :	36,633 70,	
<i>Ad valorem</i> tax, State tax, : : : :		917 98
3572 pleasure carriages worth : :	523,609 70,	
<i>Ad valorem</i> tax, State tax, : : : :		5,236 08
7249 watches valued at : :	357,496 00,	
<i>Ad valorem</i> tax, State tax, : : : :		3,574 94
13,130 clocks, valued at : : :	163,952 10	
<i>Ad valorem</i> tax, State tax, : : : :		1,639 47
32 nine or ten pin alleys, special tax, : : : :		320 00
2 race tracks, " " : : :		100 00
184 Bowie knives, " " : : :		184 00
1624 pistols, " " : : :		3,248 00
189,521 cattle over 20 head " " : : :		1,895 21
4,807 race, stable and carriage horses, \$347,943 00		
<i>Ad valorem</i> tax, : : : :		3,478 43
Gold and silver plate above \$50, : :	37,612 00	
<i>Ad valorem</i> tax, : : : :		753 09
912 pianos, valued at : : :	172,010 00	
<i>Ad valorem</i> tax, : : : :		516 29
100 toll bridges and ferries : :	69,866 00,	
<i>Ad valorem</i> tax, : : : :		174 10
256 Stallions, special tax, : : :		1,713 00
107 Jacks, " " : : :		520 00
103 male free negroes, " " : : :		229 50
244,265 slaves under 60 years, " : :		146,559 00
42,822 white polls, " " : : :		21,411 00
Total State tax on personal property for 1846,		\$233,236 72
To which add land tax of 1846, : : :		146,490 36

And we have the total State tax of 1846, : \$379,727 08

It will be perceived, however, by reference to another comparison herewith furnished, of the assessment of 1845, 1846 and 1847, that the assessments for 1846, including the additional assessments made by the sheriffs, amount to \$386,952 13, or to

\$7,225 05 more than the amount returned by the assessors.

The last mentioned table, or comparative statement of assessments for 1845, 1846 and 1847, exhibits the following facts, viz:

The amount of assessments for 1845, as returned by the assessors,
was : : : : \$408,730 96

The amount of additional assessments made by the

Tax collectors, was : : : : 4,405 43

The double taxes assessed and collected by the tax

Collectors, were : : : : 4,080 03

Total assessment for 1847, : : : : \$417,216 42

To this we may add pedlar's licenses reported, 1,464 00

Licenses to retail spirituous and vinous liquors, 6,941 93

Collected of insolventes of 1844, : : : : 363 70

Licenses for billiard tables, : : : : 1,040 00

Licenses to brokers, : : : : 200 00

Amount of escheated estates, : : : : 58 00

Total revenue means for the year 1845, : : : : \$427,284 05

The total amount of assessments for 1846, including the additional assessments made by the tax collectors,

was, as above stated, : : : : \$386,952 13

The amount assessed and collected by the collectors

on defaulting tax payers, at 25 per cent., : : : : 363 33

Licenses to retail spirituous liquors, : : : : 1,537 50

Licenses for billiard tables, : : : : 120 00

Licenses for pedlars, : : : : 595 00

Total revenue means for 1846, : : : : \$389,567 96

The assessments as for assessors' returns for 1847 so far as received, amount to : : : : \$371,404 99

The assessment lists of Jackson, Marion and Clark counties, are not yet received. The aggregate

assessments for 1846, of those counties, was

\$4,116 24. It is presumed the assessments for

1847 will be equal, : : : : 4,116 34

And if so, the assessments for 1847 will be : : : : \$375,521 33

In the county of Adams, there is a falling off in the assessments for 1847 as compared with that of 1846, of \$11,484 01. This is

owing to no assessment for 1847 having been made on the banks of that county; they, by judicial decisions, having passed, as was supposed, out of being. For several years past, comparatively nothing has been collected from said banks, so that, really although the assessments for 1847 appear to be less than those of 1846, they are in fact greater.

From the foregoing statements it will be seen that the total revenue means of the State as aforesaid for 1845, were \$427,284 05 Of this therere was collected during the year 1846,

and paid into the treasury,	\$350,211 23	
From licenses to retail spirituous liquors,	: : : : 6,054 81	
From pedlars' licenses,	: : 1,389 98	
“ billiard “	: : 1,100 00	
“ brokers’ “	: : 200 00	
“ escheated estates,	: : 58 88	\$359,014 90

Balance not paid into the treasury,	: :	\$68,269 15
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But in settlement with this office the collectors were allowed:

For insolvencies,	: : : \$43,879 53	
“ commissions for assessing,	: 203 83	
“ “ “ collecting,	11,015 39	
“ tax on State lands,	: : 3,729 19	58,827 94
Leaving unsettled at the close 1846, for	<u> </u>	<u> </u>
the revenue due for 1845,	: : : \$9,441 21	

Of this amount \$2,131 91 has since been collected and paid into the treasury, and I am apprised that a small additional amount is collected in the hands of District Attornies, and upwards of \$3,000, will be settled by insolvences, not yet credited for want of the proper vouchers, of the Port Gibson Bank and Commercial Bank of Rodney; so that nearly all that can be made available from the assessment of 1845, is collected.

The total assessments, including licenses, &c., for 1846, as before stated, amount to : : : \$389,567 96

Of this sum there has been collected and paid into the treasury, up to the 23d of November, 1847, (the date of this report,) of taxes on real and personal estate, : : : \$315,825 25

From licenses to retail spirituous li-			
quors,	:	1,023 11	
From pedlars' licenses,	:	370 00	
“ billiard table licenses,	:	120 00	317,338 36
Balance not paid into the treasury,	:	:	\$72,229 60
But there have been allowed the tax collectors, in			
Settlement with this office:			
For insolvencies,	:	\$26,808 55	
“ commissions for collecting,	:	10,663 96	
“ “ “ assessing,	:	1,291 30	
“ tax on State lands,	:	913 80	
“ taxes and costs on lands sold to			
the State,	:	17,205 49	
Refunded for excess, overpaid hereto-			
fore,	:	56 35	
For commissions on sales of property,			
sold for taxes,	:	61 66	57,001 11

Balance of assessment for 1846, not settled, : : \$15,228 49

About \$10,000 of this amount, is due from Washington county, and the failure to collect, has resulted from the difficulty of getting a collector—having to hold several elections before an officer could be obtained who gave a satisfactory bond.

It will be perceived that the insolvent list for 1845 amounted to the large sum of \$43,879 53, while for 1846 it amounted to only \$26,808 55, showing a difference of \$17,070 98. This difference, was chiefly caused by the failure on the part of the collectors to find bidders for real estate offered by them for taxes. Under the law of the last session, authorising them in such cases to purchase the lands for the State, the insolvent list is reduced about the amount of the excess of that of 1845: for that excess, as above stated, was \$17,070 98, and the credits given for taxes and costs on lands purchased for the State, for taxes due for 1846, amount to \$17,205 49.

In the foregoing statements of the amounts paid into the treasury, I have not mentioned the amounts received on account of the special funds of the State, nor from taxes due for former years; my object being to exhibit the amounts collected out of each assess-

ment, so that you and the Legislature might have *data* on which to calculate the receipts which may be expected from any given assessment. The entire receipts into the treasury during the year 1846, embracing those from taxes of 1845 and former years, as also those on account of Seminary, Sinking Funds,

&c., were : : : : \$385,764 59

This sum was received on account of the following accounts, viz:

On account of State tax of 1845,	\$350,211 23	
" " " " 1844,	833 34	
" " " " 1840,	357 30	
" " " " 1838,	884 85	
" " of licenses to retail spirituous liquors,	: : : 6,054 81	
On account of licenses to pedlars,	1,389 98	
" " " billiard tables,	1,100 00	
" " " brokers,	: : 200 00	
" " of legislative department refunded,	: : : 4 00	
On account of appropriations department refunded,	: : : 150 00	
On account of public printing department refunded,	: : : 66 00	
On account of repairing fund,	: : 5 50	
" " escheated estates,	: : 58 88	
" " Seminary Fund,	: : 13,794 11	
" " Sinking Fund,	: : 10,654 59	385,764 59

The total receipts into the treasury from the 1st of January, 1847, to the date of this report, were : : : :

\$486,970 06

This sum was received from the following sources, viz:

From State tax for 1846,	: : \$315,825 23
" " " 1845,	: : 2,131 91
" " " 1844,	: : 3,419 15
" " " 1843,	: : 120 83
" licenses to retail spirituous liquors,	: : : : 1,023 11

From licenses to pedlars,	:	:	370 00	
" " billiard tables,	:	:	120 00	
" Seminary Fund,	:	:	1,735 48	
" Sinking Fund,	:	:	16,209 58	
" Town Lot Fund,	:	:	2,183 00	
" Two Per Cent. Fund,	:	:	143,831 77	486,970 06

Comparative Statements of Receipts and Expenditures.

The total receipts into the treasury from the 1st January, 1846, to the 1st January, 1847, as before stated, were \$385,764 59

The expenditures, or issues in warrants on the treasury from this office, during the same period, were 227,055 51

Excess of receipts over expenditures, \$158,709 08

The receipts into the treasury from all sources, from the 1st of January, 1847, to the 23d November, 1847, were \$486,970 06

The expenditures, or issues of warrants on the treasury, during the same period, were 141,326 33

Excess of receipts for 1847, to the 23d November, \$345,643 73

To Recapitulate.

Receipts during the year 1846, 385,764 59

Receipts during the year 1847, to 23d November, 486,970 06

Total receipts from January 1st, 1846, to November 23d, 1847, \$872,734 65

Expenditures during the year 1846, \$227,055 51

Expenditures during the year 1847, to 23d November, 141,326 33 368,381 84

Excess of receipts over expenditures, \$504,352 81

But a large portion of the above receipts, was on account of special funds, and that you may have a comparative view of the receipts from the sources of revenue alone, and the expenditures, I present you the following statement, viz:

Amount collected from the ordinary sources of revenue for 1846, \$361,095 89

Amount of expenditures for same period, 227,055 51

Excess of receipts for 1846, \$134,040 38

Receipts from the ordinary sources of revenue, for

1847, to the 23d November, 1847,	:	:	325,193	23
Expenditures during the same period,	:	:	141,326	33
Excess of receipts over expenditures,	:	:	\$183,866	90

To Recapitulate.

Receipts for 1846 from ordinary sources of reve-

nue, : : : : \$361,095 89

Receipts for 1847 from ordinary sources of reve-

nue, to the 23d November, : : : 325,193 23

Expenditures for 1846, : \$227,055 51 \$686,289 12

Expenditures for 1847, to 23d Nov., 141,336 33 368,381 84

Excess of receipts, : : : \$317,907 28

The expenditures of 1846 being, as above stated, \$227,055 51, were made on the following accounts, viz:

On account of the Legislative department, : \$44,264 79

" " " Judiciary : : 82,755 80

" " " Executive " : : 8,924 27

" " " Executive Contingent Fund department, : : : 4,000 00

On account of appropriations department, : 20,946 56

" " " Expenditures of Penitentiary, : 15,861 96

" " " State Library department, : : 2,157 27

" " " Militia department, : : 2,210 36

" " " Revolutionary Soldiers department, : 3,702 07

" " " Commissions for assessing department, 8,649 60

" " " Interest on Funded debt department, 4,261 00

" " " Public building department, : : 7,423 50

" " " Elections department, : : : 102 00

" " " Census department, : : : 298 58

" " " Recording State deeds department, : 813 37

" " " Seminary Fund department, : 15,875 00

" " " Classifying lands department, : : 294 00

" " " Auditor's Contingent Fund department, 1,786 20

" " " Repairing Fund department, : : 200 00

" " " Acknowledgement of Deeds department, 133 00

" " " Escheated Estates department, : : 53 64

" " " Locating State lands department, : 115 00

"	"	"	Printers Fees department,	:	:	138	75
"	"	"	Distributing Laws and Journals departm't			295	00
"	"	"	Executed Slaves department,	:	:	993	75
"	"	"	Vaccine Agency department	:	:	300	00
"	"	"	Common Schools department,	:	:	500	00
							\$227,055 51

The expenditures from the 1st of January, 1847 to 23d of November inst., were, as before stated, \$141,326 33, and were made on the following accounts, viz:

On account of	Judiciary department,	:	:	:	\$74,638	70
"	"	"	Executive department,	:	:	8,419 77
"	"	"	Contingent Fund department,			2,896 15
"	"	"	Appropriations department,	:	:	11,770 34
"	"	"	Expenditures of Penitentiary departm't,			10,179 03
"	"	"	State Library department,	:	:	1,337 08
"	"	"	Militia department,	:	:	1,465 00
"	"	"	Soldiers of the Revolution departm't,			2,044 77
"	"	"	Commissions for assessing,	:	:	9,932 89
"	"	"	Interest on Funded debt department,			2,048 27
"	"	"	Public Printing department,	:	:	1,877 03
"	"	"	Elections department,	:	:	36 00
"	"	"	Census department,	:	:	68 92
"	"	"	Classifying Lands department,	:	:	27 00
"	"	"	Auditor's Contingent Fund departm't,			1,240 00
"	"	"	Executed Slaves department,	:	:	1,622 50
"	"	"	Escheated Estates department,	:	:	20 00
"	"	"	Vaccine Agency department,	:	:	300 00
"	"	"	Repairing Fund department,	:	:	23 70
"	"	"	Acknowledgement of Deeds departm't,			3 00
"	"	"	Town Lots department,	:	:	20 00
"	"	"	Common Schools department,	:	:	387 75
"	"	"	Executing State Deeds department,	:	:	967 79
"	"	"	Seminary Fund department,	:	:	10,000 00
					\$141,326	33

It may be proper to observe that, since January 1st, 1846, \$25,-875 00 have been expended on account of the Seminary Fund, for the erection of the University buildings at Oxford. This may

be properly called an *extraordinary* expenditure; and if deducted from the whole expenditure, the remainder will show the ordinary expenditures of the State.

I will further remark, that a considerable expenditure has been made for the benefit of the Rail Road between Jackson and Brandon, on the draft of your Excellency, (as I have been informed,) upon the State Treasurer, pursuant to an act of the last Legislature. As the drafts were not drawn on this office, no warrant was issued, and, consequently, the Treasury has no credit for the payment of the amount, at this office; nor have I any *data* from which I can report the amount of said expenditure. It may be proper also, to state that the Treasury still stands charged in this office with the whole of the two and three per cent. funds, reported by R. S. Graves as having been drawn by him from the United States, notwithstanding it is known that a large amount of those funds were embezzled by him, and are not now in the Treasury. These two circumstances have produced a disagreement in the accounts of the Treasurer's and Auditor's books, which ought not to exist, and which cannot be corrected except by legislative authority or direction.

The amount of the two per cent. fund to the debit of the Treasury on the books of this office, is : : \$288,331 17

The balance of the three per cent. fund to the debit of the Treasury on the books of this office, is : \$107,237 98

But I will remark that I am advised, that stock in the Planters Bank was taken by my predecessors, with this fund, to a considerable amount, but I am unable to find any record of the fact on the books of this office. It is likely that some information on the subject may be had by reference to the reports of former Auditors, which I have not in my possession.

• The amount of the Seminary fund to the debit of the Treasury, as exhibited by the books of this office, is \$60,859 77

This is the *principal* of the fund, and as I have no statement of the interest that has accrued, I refer you to the report of the late Treasurer, for information as to the amount of the whole fund, principal and interest.

The amount of the Sinking Fund, to the debit of the Treasury on the books of this office, is : : : \$111,832 24

The amount to the credit of the Literary Fund, as shown by the books of this office, is : : : : \$12,302 66

And I find an entry on Mallory's books showing that \$800 of said fund was invested in bank stock.

All of which is respectfully submitted by your obedient servant,

JAMES E. MATTHEWS,

Auditor of Public Accounts.

STATEMENT in detail of State tax and items of taxation for 1846, in Adams County.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	239,151	\$3,417,197 00	\$14 29		\$8,542 99	State tax on real es- tate.
“ “ 1848,	319	398 00	1 25			
“ “ after 1848,	1,040	1,643 00	1 58			
School land not taxable,	6,180	43,881 48	7 10			
Vacant land,	20,832	9,877 62	47			
	267,522	\$3,472,997 10	\$12 60			
Money loaned at interest,	-	-	-	\$264,898 00	794 69	3-10 of 1 per cent.
Merchandise sold by merchants,	-	-	-	1,119,806 00	3,359 41	“ “ “
Bank stock,	-	-	-	4,641,100 00	11,602 75	1/4 of 1 per cent.
278 pleasure carriages,	-	-	-	46,960 00	469 60	1 per cent.
480 watches,	-	-	-	31,110 00	311 10	“ “
288 clocks,	-	-	-	6,307 00	63 07	“ “
1 ten-pin alley,	-	-	-		10 00	\$10 00 each,
1 race track,	-	-	-		50 00	\$50 00 each,
3 bowie knives,	-	-	-		3 00	\$1 00 each,
102 pistols,	-	-	-		204 00	\$2 00 each,
9,169 cattle over 20 head,	-	-	-		91 69	1 cent each,
576 race, saddle or carriage horses,	-	-	-	48,946 00	489 46	1 per cent.

Gold and silver plate over \$50,	-	-	-	-	22,360 00	447 20	2 per cent.
171 pianos,	-	-	-	-	26,200 00	79 60	3-10 of 1 per cent.
2 toll-bridges and ferries,	-	-	-	-	1,000 00	2 50	$\frac{1}{4}$ of 1 per cent.
2 stallions,	-	-	-	-	42 00	42 00	price of season,
1 jack,	-	-	-	-	6 00	6 00	" "
13 free male negroes,	-	-	-	-		20 50	\$1 50 each,
13,965 slaves,	-	-	-	-		8,379 00	60 cents each,
647 white polls,	-	-	-	-		323 50	50 cents each,
							[property.
						26,747 02	State tax on personal
					6,228,735 00	35,299 01	Total State tax.

Statement continued.—Amite county.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land now taxable,	232,927	\$661,866 57	\$2 84		\$1,654 80	State tax on real es- tate,
“ taxable in 1847,	84	319 12	3 80			
“ taxable after 1848,	1,273	3,295 63	2 59			
School lands,	11,000	16,195 21	1 47½			
Vacant lands,	224,315	56,078 77	25			
	469,590	\$737,755 30	1 57			
Money loaned at interest,	-	-	-	\$74,996 94	224 99	
Merchandise sold by merchants,	-	-	-	59,038 00	177 11	
46 pleasure carriages,	-	-	-	6,673 00	66 73	
117 watches,	-	-	-	6,666 00	66 66	
239 clocks,	-	-	-	3,870 00	38 78	
15 pistols,	-	-	-		30 00	
3,222 cattle,	-	-	-	1,850 00	32 22	
86 race, saddle or carriage horses,	-	-	-	6,848 00	68 48	
9 pianos,	-	-	-	1,850 00	5 55	
3 stallions,	-	-	-	13 00	13 00	
8 free male negroes,	-	-	-		12 00	
4,742 slaves under 60 years,	-	-	-		2,845 20	

512 white polls,

	256 00	[property.
159,953 94	3,846 96	State tax on personal
	5,501 76	Total State tax.

Statement continued.—Attala county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	282,677	\$535,448 00	\$1 89 $\frac{1}{2}$		\$1,338 62	State tax on real estate,
“ “ 1847,	4,545	21,508 00	4 73 $\frac{1}{4}$			
“ “ 1848,	4,166	14,728 00	3 55 $\frac{1}{2}$			
“ “ after 1848,	5,946	21,919 00	3 68 $\frac{3}{4}$			
“ belonging to the State,	18,110	24,673 00	1 36 $\frac{1}{4}$			
School lands,	10,880	15,200 00	1 40			
Vacant lands,	163,625	94,214 00	57 $\frac{1}{2}$			
	489,949	\$727,690 00	1 48 $\frac{1}{2}$			
Money loaned at interest, -	-	-	-	\$6,101 00	18 30	
Merchandise sold by merchants, -	-	-	-	72,945 50	218 83	
26 pleasure carriages, -	-	-	-	3,185 00	31 85	
58 watches, -	-	-	-	2,614 00	26 14	
208 clocks, -	-	-	-	3,118 00	31 18	
1 ten-pin alley, -	-	-	-		10 00	
5 bowie knives, -	-	-	-		5 00	
24 pistols, -	-	-	-		48 00	
1,376 cattle over 20 head, -	-	-	-		13 76	
25 race, saddle or carriage horses, -	-	-	-	1,573 00	15 73	

5 pianos,	-	-	-	-	-	-	-
2 bridges or ferries,	-	-	-	-	-	-	-
6 stallions,	-	-	-	-	-	-	-
1 jack,	-	-	-	-	-	-	-
1,978 slaves under 60 years old,	-	-	-	-	-	-	-
880 white polls,	-	-	-	-	-	-	-

855 00	2 65	
1,000 00	2 50	
39 00	39 00	
5 00	5 00	
	1,136 30	
	440 00	
91,431 50	3,094 92	[property. State tax on personal
	3,433 54	Total State tax.

Statement continued.—*Bolivar county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	277,602	\$762,364 00	\$2 38 $\frac{3}{4}$		\$1,905 88	State tax on real estate
“ “ 1847,	515	1,848 66	3 59			
“ “ 1848,	1,351	4,952 97	3 66 $\frac{1}{2}$			
“ “ after 1848,	7,188	36,830 07	5 12 $\frac{1}{2}$			
“ belonging to the State,	88,395	174,346 77	1 97 $\frac{1}{4}$			
School lands,	37,848	65,415 09	1 72 $\frac{3}{4}$			
Vacant lands,	170,916	171,340 71	1 00 $\frac{3}{4}$			
	563,815	1,217,098 28	2 08			
Money loaned at interest,	-	-	-	\$800 00	2 40	
16 watches,	-	-	-	1,220 00	12 20	
24 clocks,	-	-	-	293 00	2 93	
6 pistols,	-	-	-		12 00	
1,008 cattle over 20 head,	-	-	-		20 08	
19 race, saddle or carriage horses,	-	-	-	1,385 00	13 85	
2 pianos,	-	-	-	350 00	1 05	
1,444 slaves under 60 years old,	-	-	-		866 40	

119 white polls,

	59 50	[estate.
\$4,148 00	990 31	State tax on personal
	2,896 19	Total State tax.

Statement continued.—*Claiborne county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PER- SONAL PRO- PERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	277,383	\$1,654,640 25	5 96½		\$4,136 60	
“ “ after 1848,	317	1,310 00	4 00			
School lands,	4,788	11,288 25	2 35¾			
Vacant lands,	17,647	9,740 00	55			
Town lots in Port Gibson,		196,175 00			490 43¾	
“ “ “ Grand Gulf,		153,340 00			383 35	
	300,135	2,026,493 50			5,010 38¾	State tax on real estate
Money loaned at interest, :	:	:	:	\$8,294 00	24 88	
Merchandise sold by merchants, :	:	:	:	258,582 00	775 74	
Merchandise sold at auction, :	:	:	:	2,408 00	60 20	
126 pleasure carriages, :	:	:	:	19,270 00	192 70	
321 watches, :	:	:	:	18,985 00	189 85	
213 clocks, :	:	:	:	2,776 50	27 76	
1 ten-pin alley, :	:	:	:		10 00	
5 bowie knives, :	:	:	:		5 00	
47 pistols, :	:	:	:		94 00	
6,930 cattle over 20 head, :	:	:	:		69 30	
366 race, saddle or carriage horses, :	:	:	:	24,880 00	248 80	

Gold and silver plate over \$50,	:	:	:	:	2,200 00	44 00	
50 pianos,	:	:	:	:	8,750 00	26 25	
5 bridges or ferries,	:	:	:	:	2,420 00	6 05	
4 stallions,	:	:	:	:	58 00	58 00	
9 free male negroes,	:	:	:	:		13 50	
9,500 slaves under 60 years,	:	:	:	:		5,700 00	
670 white polls,	:	:	:	:		335 00	
					348,623 50	7,861 04	State tax on personal estate.
						12,871 42	Total State tax.

Statement continued.—*Carroll county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land now taxable,	477,676	\$1,535,012 09	3 21½		\$3,838 69	State tax on real estate
“ taxable in 1847,	357	446 25	1 25			
“ “ 1848,	1,007	8,656 71	8 60			
“ “ after 1848,	2,052	12,043 49	5 85¾			
“ belonging to the State,	2,439	5,360 57	2 20			
School lands,	14,744	30,238 05	2 05			
Vacant lands,	136,475	25,157 73	18½			
	634,750	1,656,914 89	2 61			
Money loaned at interest, :	:	:	:	\$23,805 58	61 41	
Merchandise sold by merchants, :	:	:	:	279,756 46	838 97	
81 pleasure carriages, :	:	:	:	12,140 00	121 40	
209 watches, :	:	:	:	8,878 00	88 78	
507 clocks, :	:	:	:	7,548 00	75 48	
2 ten-pin alleys, :	:	:	:		20 00	
8 bowie knives, :	:	:	:		8 00	
27 pistols, :	:	:	:		54 00	
3,686 cattle over 20 head, :	:	:	:		36 86	
104 race, saddle and carriage horses, :	:	:	:	8,340 00	83 40	

Gold and silver plate over \$50,	:	:	:	:	220 00	4 40	
18 pianos,	:	:	:	:	3,935 00	11 80	
7 stallions,	:	:	:	:	53 00	53 00	
1 jack,	:	:	:	:	6 00	6 00	
6 free male negroes,	:	:	:	:		9 00	
7,399 slaves under 60 years,	:	:	:	:		4,439 40	
1,240 white polls,	:	:	:	:		620 00	
					344,681 04	6,579 82	State tax on personal property.
						10,418 51	Total State tax.

Statement continued—Covich County.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land now taxable 1846,	292,875	\$ 731,814 46	2 50		\$ 1,829 51	State tax on real estate
“ taxable in 1847,	160	600 40	3 75			
“ “ “ 1848,	79	129 55	1 64			
“ “ after 1848.	1,321	3,257 55	2 46½			
Belonging to the State,	129	257 52	2 00			
School lands,	14,327	24,493 83	1 70			
Vacant lands,	248,893	79,130 02	31½			
	557,784	839,653 33	1 50½			
Money loaned at interest, -	-	-	-	\$ 3,688 00	11 06	
Merchandise sold, -	-	-	-	18,818 46	56 45	
30 pleasure carriages, -	-	-	-	4,101 00	41 01	
83 watches, -	-	-	-	2,760 00	27 60	
332 clocks, -	-	-	-	4,547 00	45 47	
4 bowie knives, -	-	-	-		4 00	
30 pistols, -	-	-	-		60 00	
1650 cattle over 20 head, -	-	-	-		16 50	
79 race, saddle, or carriage horses, -	-	-	-	5,570 00	55 70	
4 pianos, -	-	-	-	900 00	2 70	

5 stallions,	-	-	-	-	-	-	57 00	57 00	
3 jacks,	-	-	-	-	-	-	24 50	24 50	
4 free male negroes,	-	-	-	-	-	-		6 00	
4398 slaves under 60 years,	-	-	-	-	-	-		2,635 20	
944 white polls,	-	-	-	-	-	-		472 00	
							40,465 96	3,488 79	State tax on personal property.
								5,318 30	Total State tax.

Statement continued.—*Chickasaw County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands now taxable,	502,275	\$1,191,092 00	\$2 17½		\$3,051 75	State tax on real es- tate.
“ taxable in 1847,	2,077	1,436 26	69			
“ “ 1848,	1,360	4,240 60	3 11½			
“ “ after 1848,	64,094	95,908 25	1 49½			
Vacant lands,	84,373	51,739 75	60			
Town lots now taxable,		29,611 00				
“ “ not yet taxable,		725 00				
	654,179	1,374,752 86	2 10			
Money loaned at interest, -	-	-	-	\$12,299 55	36 90	
Merchandise sold by merchants,	-	-	-	56,372 87	168 12	
“ “ at auction,	-	-	-	161 70	4 04	
75 pleasure carriages,	-	-	-	9,930 00	90 30	
123 watches,	-	-	-	4,875 00	48 75	
354 clocks,	-	-	-	4,598 00	45 98	
6 bowie knives,	-	-	-		6 00	
28 pistols,	-	-	-		56 00	
3673 cattle over 20 head,	-	-	-		38 73	
57 race, saddle or carriage horses,	-	-	-	4,140 00	41 40	

6 pianos, - - - - -	1,625 00	4 87	
1 bridge or ferry, - - - - -	4,000 00	10 00	
14 stallions - - - - -	73 00	73 00	
7 jacks, - - - - -	37 00	37 00	
1 free male negro, - - - - -		1 50	
4,061 slaves under 60 years, - - - - -		2,436 60	
1,383 white polls, - - - - -		691 50	
	98,112 12	3,800 65	State tax on personal property.
		6,852 40	Total State tax.

Statement continued—Choctaw County.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	333,093	\$558,582 40	1 68		\$1,459 92	State tax on real es- tate.
“ “ after 1848,	8,740	13,716 00	1 57			
Belonging to the State,	4,830	6,800 00	1 40½			
School lands,	12,400	15,760 00	1 27			
Vacant lands,	221,060	136,402 40	61½			
Town lots,		9,420 00				
	580,123	740,680 80	1 28			
Money loaned at interest, -	-	-	-	\$5,832 75	17 49	
Merchandise sold by merchants, -	-	-	-	42,046 09	126 14	
21 pleasure carriages, -	-	-	-	1,815 00	18 15	
47 watches, -	-	-	-	1,663 00	16 63	
316 clocks, -	-	-	-	1,991 50	19 91	
3 bowie knives, -	-	-	-		3 00	
18 pistols, -	-	-	-		36 00	
788 cattle over 20 head, -	-	-	-		7 88	
18 saddle, race, or carriage horses, -	-	-	-	1,255 00	12 55	
1 piano, -	-	-	-	40 00	12	
1 toll bridge or ferry, -	-	-	-	200 00	50	

9 stallions,	-	-	-	-	-
1 jack,	-	-	-	-	-
2,063 slaves under 60 years old,	-	-	-	-	-
1,020 white polls,	-	-	-	-	-

60 00	60 00	
6 00	6 00	
	1,237 80	
	510 00	
54,909 34	2,125 32	State tax on person- al estate.
	8,585 24	Total State tax.

Statement continued.—Clark county.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	71,345	\$168,294 83	2 36		\$415 27	State tax on real estate
“ “ “ 1848,	411	809 78	1 97			
“ “ after 1848,	2,426	5,691 00	2 34			
School lands,	9,012	2,945 15	32½			
Vacant lands,	338,951	89,921 88	27			
	422,145	267,662 64				
Money loaned at interest, :	:	:	:	\$3,239 43	9 72	
Merchandise sold by merchants, :	:	:	:	26,788 00	80 36	
8 pleasure carriages, :	:	:	:	580 00	5 80	
21 watches, : :	:	:	:	752 00	7 52	
133 clocks, : :	:	:	:	1,709 25	17 09	
3 bowie knives, : :	:	:	:		3 00	
4 pistols, : :	:	:	:		8 00	
2,484 cattle over 20 head, :	:	:	:		24 84	
11 race, saddle or carriage horses, :	:	:	:	980 00	9 80	
1 piano, : :	:	:	:	50 00	15	
2 stallions, : :	:	:	:	13 00	13 00	
1 free male negro, :	:	:	:		1 50	

354 white polls,	:	:	:	:	:	:	:		177 00
1,035 slaves,	:	:	:	:	:	:	:		621 00
1 ten-pin alley,	:	:	:	:	:	:	:		10 00
								\$34,111 68	992 07
									1,407 34

Statement continued—Covington county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	47,358	\$113,891 00	\$2 40½		\$290 40	State tax on real es- tate.
“ “ “ 1848,	80	240 00	3 00			
“ “ after 1848,	560	1,380 00	2 46½			
School lands,	12,160	8,384 00	69			
Vacant lands,	301,425	33,431 00	11			
Town lots,		2,272 50				
	361,583	\$159,598 50	44			
Money loaned at interest,	-	-	-	\$19,710 07	59 13	
Merchandise sold by merchants,	-	-	-	9,025 00	27 07	
Merchandise sold by transient vendors,	-	-	-	323 00	8 17	
10 pleasure carriages,	-	-	-	820 80	8 20	
36 watches, - - -	-	-	-	628 80	6 28	
136 clocks, - - -	-	-	-	1,396 00	13 96	
2 bowie knives, - - -	-	-	-		2 00	
18 pistols, - - -	-	-	-		36 00	
3358 cattle over 20 head,	-	-	-		33 58	
10 race, saddle and carriage horses,	-	-	-	725 00	7 25	
1 piano, - - -	-	-	-	50 00	15	

1 bridge or ferry,	-	-	-	-	-
2 stallions,	-	-	-	-	-
986 slaves under 60 years old,	-	-	-	-	-
304 white polls,	-	-	-	-	-

100 00	25	
9 00	9 00	
	591 60	
	151 80	
\$32,787 67	\$948 33	State tax on personal estate.
	\$1,238 73	Total State tax.

Statement continued—Coahoma county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land now taxable.	61,341	\$284,555 92	\$4 63 $\frac{3}{4}$		\$718 10	State tax on real es- tate.
Land taxable in 1847,	2,227	15,324 26	6 88			
“ “ after 1848,	21,908	173,414 09	7 91 $\frac{1}{4}$			
“ belonging to the State,	790	2,689 93	3 40 $\frac{1}{2}$			
School lands,	13,784	31,158 85	2 25 $\frac{1}{4}$			
Vacant lands,	346,774	658,911 11	1 90			
	446,824	\$1,166,054 16	\$2 61			
Money loaned at interest, :	:	:	:	300 00	90	
Merchandise sold by merchants, :	:	:	:	8,100 00	24 30	
Merchandise sold at auction, :	:	:	:	200 00	5 00	
2 pleasure carriages, :	:	:	:	200 00	2 00	
32 watches, : :	:	:	:	1,580 00	15 80	
46 clocks, : :	:	:	:	675 50	6 75	
1 ten pin alley, : :	:	:	:		10 00	
4 pistols, : :	:	:	:		8 00	
1395 cattle over 20 head, :	:	:	:		13 95	
5 race, saddle and carriage horses, :	:	:	:	360 00	3 60	
2 bridges or ferries, : :	:	:	:	125 00	31	

3 stallions, : : : : :
 2 free male negroes, : : : : :
 954 slaves under 60 years old, : : : : :
 366 white polls, : : : : :

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17 50	17 50	
	3 00	
	572 40	
	183 00	
\$11,557 50	\$863 45	State tax on personal
		property.
	\$1,581 55	Total State tax.

Statement continued—Desoto county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	522,468	\$2,069,780 00	\$3 96		\$5,174 45	
Town lots,		44,972 00			112 43	
		\$2,114,752 00			\$5,286 88	State tax on real es- tate.
Money loaned at interest, :	:	:	:	\$22,730 81	68 19	
Merchandise sold by merchants, :	:	:	:	71,346 38	214 04	
Merchandise sold at auction, :	:	:	:	100 00	2 50	
95 pleasure carriages, :	:	:	:	12,854 00	128 54	
149 watches, : :	:	:	:	6,894 00	68 94	
356 clocks. : :	:	:	:	3,522 00	35 22	
10 bowie knives, : :	:	:	:		10 00	
68 pistols, : :	:	:	:		136 00	
2152 cattle over 20 head, :	:	:	:		21 52	
67 race, saddle and carriage horses, :	:	:	:	4,320 00	43 20	
8 pianos, : :	:	:	:	1,475 00	14 42	
4 toll bridges and ferries, :	:	:	:	1,200 00	3 00	
7 stallions, : :	:	:	:	48 00	48 00	
4 jacks, : :	:	:	:	16 50	16 50	
1 free male negro, : :	:	:	:		1 50	

5837 slaves under 60 years old,	:	:	:	:
1280 free polls,	:	:	:	:

	3,502 20	
	640 00	
\$124,505 69	\$4,942 26	State tax on personal property.
	\$10,229 14	Total State tax.

Statement Continued.—*Franklin County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PER- SONAL PRO- PERTY.	STATE TAX.	REMARKS.
Lands now taxable,	144,554	\$ 338,058 33	2 33 3		\$ 845 05	
“ taxable in 1848,	469	1,593 00	3 40			
“ “ after 1848,	1,085	2,341 88	2 16			
“ belonging to the State,	77	38 51	50			
“ school land,	8,831	3,806 68	43			
“ vacant land,	236,565	28,039 24	11 3			
	391,581	373,877 24	96			
Money loaned at interest,	-	-	-	\$ 11,380 00	33 14	
Merchandise sold by merchants,	-	-	-	7,930 00	23 79	
24 pleasure carriages,	-	-	-	3,650 00	36 50	
74 watches,	-	-	-	3,964 50	39 64	
161 clocks,	-	-	-	2,311 00	23 11	
6 bowie knives,	-	-	-		6 00	
19 pistols,	-	-	-		38 00	
2,776 cattle over 20 head,	-	-	-		27 76	
93 race, saddle and carriage horses,	-	-	-	6,585 00	65 85	
Gold and silver plate over \$50,	-	-	-	150 00	3 00	
5 pianos,	-	-	-	765 00	2 29	

1 bridge or turnpike,	-	-	-	-
4 stallions,	-	-	-	-
1 Jack,	-	-	-	-
2 free male negroes,	-	-	-	-
2,855 slaves under 60 years,	-	-	-	-
383 white polls,	-	-	-	-

250 00	62
25 00	25 00
5 00	5 00
	3 00
	1,713 00
	196 50
36,815 50	2,238 87
	3,083 92

[property.
State tax on personal
Total State tax.

Statement Continue—*Green County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PER- SONAL PRO- PERTY,	STATE TAX.	REMARKS.
Land taxable in 1846,	28,772	\$ 59,763 75	2 07 $\frac{3}{4}$		\$ 147 91	State tax on real estate
“ “ “ 1848,	555	1,066 50	1 92			
“ “ after 1848,	285	295 00	1 03 $\frac{1}{4}$			
School lands,	14,007	892 27	06 $\frac{1}{4}$			
Vacant lands,	505,295	24,181 05	04 $\frac{3}{4}$			
	548,914	86,198 57	15 $\frac{3}{4}$			
Money loaned at interest, -	-	-	-	\$ 2,860 00	8 58	
Merchandise sold by merchants, -	-	-	-	350 00	1 05	
4 pleasure carriages, -	-	-	-	145 00	1 45	
8 watches, -	-	-	-	185 00	1 85	
47 clocks, -	-	-	-	791 00	7 91	
4,672 cattle over 20 head, -	-	-	-		46 73	
1 race, saddle or carriage horse, -	-	-	-	75 00	75	
4 toll bridges or ferries, -	-	-	-	600 00	1 50	
1 stallion, -	-	-	-	5 00	5 00	
525 slaves under 60 years, -	-	-	-		315 00	

202 white polls,

	101 00	
5,011 00	490 80	[estate. State tax on personal
	640 21	Total State tax.

Statement Continued.—*Harrison County.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	34,717	\$346,260 53	\$9 97 $\frac{2}{3}$		\$865 65	State tax on real es- tate.
“ “ “ 1847,	120	181 00	1 51			
“ “ “ 1848,	572	1,045 17	1 82 $\frac{3}{4}$			
“ “ after 1848,	606	1,625 28	2 68			
School lands,	18,279	4,331 46	23 $\frac{2}{3}$			
Vacant lands,	586,503	120,245 16	20 $\frac{1}{2}$			
	640,797	\$473,688 60	74			
Merchandize sold by merchants,	:	:	:	\$10,250 00	30 75	
Merchandize sold at auction,	:	:	:	830 00	20 75	
8 pleasure carriages,	:	:	:	520 00	5 20	
21 watches, :	:	:	:	1,057 00	10 57	
35 clocks, :	:	:	:	338 00	3 38	
2 ten pin alleys, :	:	:	:		20 00	
1 Bowie knife, :	:	:	:		1 00	
4 pistols, :	:	:	:		8 00	
5160 cattle over 20 head, :	:	:	:		51 60	
8 race, saddle and carriage horses, :	:	:	:	375 00	3 75	
Gold and silver plate over \$50, :	:	:	:	172 00	3 44	

6 pianos,	:	:	:	:	:	:	520 00	1 66	
1 toll bridge or ferry,	:	:	:	:	:	:	50 00	12	
6 free male negroes,	:	:	:	:	:	:		9 00	
500 slaves under 60 years,	:	:	:	:	:	:		300 00	
235 white polls,	:	:	:	:	:	:		117 50	
Additional items not mentioned, amount State tax on which,	:	:	:	:	:	:		16 13	
							\$14,112 00	\$603 61	[estate. State tax on personal
								\$1,469 26	State tax, total.

Statement Continued.—*Hancock County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	56,856	\$199,609 39	\$3 51		\$499 05	State tax on real es- tate.
“ “ after 1848,	617	2,705 00	4 38½			
Vacant and school lands not as- sessed, but supposed,	519,000	51,900 00	10			
	576,473	\$254,214 39	44			
Money loaned at interest, :	:	:	:	\$8,801 00	26 40	
Merchandise sold by merchants, :	:	:	:	21,589 00	64 67	
11 pleasure carriages, :	:	:	:	1,295 00	12 95	
68 watches, : :	:	:	:	2,400 00	24 00	
56 clocks, : :	:	:	:	713 50	7 13	
1 Bowie knife, : :	:	:	:		1 00	
9,942 cattle over 20 head, :	:	:	:		99 42	
18 race, saddle or carriage horses, :	:	:	:	1,035 00	10 35	
Gold and silver plate over \$50, :	:	:	:	129 00	2 58	
5 pianos, : :	:	:	:	415 00	1 21	
1 bridge or ferry, : :	:	:	:	351 00	88	
1 stallion, : :	:	:	:	4 00	4 00	
1 jack, : :	:	:	:	4 00	4 00	

10 free male negros,	:	:	:	:	:		15 00	
874 slaves under 60 years,	:	:	:	:	:		524 40	
306 white polls,	:	:	:	:	:		153 00	
								[estate.
						\$36,736 50	\$954 38	State tax on personal
							\$1,453 43	Total State tax.

Statement continued—*Holmes county,*

ITEMS OF TAXATION, &c.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	394,217	\$1,400,196 49	\$3 55		\$3,687 79	State tax on lands at $\frac{1}{4}$ of 1 per cent.
“ “ “ 1847,	453	1,500 00	3 31			
“ “ “ 1848,	336	2,712 00	8 07			
“ “ after 1848,	1,872	7,559 80	4 04			
School lands not taxed,	6,720	8,000 00	1 19			
Vacant lands,	152,636	85,034 50	55 $\frac{1}{2}$			
Town lots,		75,002 00				
	556,234	\$1,580,004 79	2 84			
Money loaned at interest, :	:	:	:	\$9,275 00	27 82	[3-10 of 1 per cent. Ad valorem tax at
Merchandise sold, :	:	:	:	123,493 00	370 48	do do do
126 pleasure carriages, :	:	:	:	15,465 00	154 65	do do 1 per cent
146 watches, :	:	:	:	8,025 00	80 25	do do do
338 clocks, :	:	:	:	4,972 00	49 72	do do do
2 ten pin alleys, :	:	:	:		20 00	Specific tax \$10 each
5 Bowie knives, :	:	:	:		5 00	“ “ \$1 “
20 pistols, :	:	:	:		40 00	“ “ \$2 “
2,793 cattle over 20 head, :	:	:	:		27 93	Specific tax 1 cent each
92 race and saddle horses,	:	:	:	8,105 00	81 05	Ad. val. tax 1 per cent.

Silver and gold plate over \$50,	:	:	:	:	285 00	5 70	" " 2 " "
7 pianos,	:	:	:	:	1,400 00	4 20	" " 3-10 oil pr'ct
3 toll bridges and ferries,	:	:	:	:	6,250 00	15 62	" " $\frac{1}{4}$ " "
3 stallions,	:	:	:	:	28 00	28 00	" " price of season
3 jacks,	:	:	:	:	16 00	16 00	" " " "
1 free male negro,	:	:	:	:		1 50	Special tax \$1 50 each
6,704 slaves,	:	:	:	:		4,022 40	" " 60 cts. each
1,036 white polls,	:	:	:	:		518 00	" " 50 " "
							[property.]
					\$177,314 00	\$5,448 95	State tax on personal
						\$9,136 74	Total State tax.

Statement Continued—*Hinds County.*

ITEMS OF TAXATION, &c.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
No. of acres of taxable land 1846	522,382	\$2,157,435 00	\$4 13		\$6,443 31	Total tax on land and
“ “ “ “ 1848	920	2,760 00	3 00			Town lots $\frac{1}{4}$ per cent.
No. of acres held by the State,	1,850	5,400 00	2 92			
No. acres school lands not taxed,	11,520	30,080 00	2 61			
No. of acres of vacant land,	8,611	10,174 00	1 18			
Town lots,		417,130 00				
	545,283	\$2,622,979 00	\$4 41			
Money loaned at interest, :	:	:	:	\$64,338 00	193 01	Taxed <i>ad valorem</i>
Sales of merchandize, :	:	:	:	612,702 00	1,838 10	3-10 of 1 per cent.
Auction sales of merchandize, :	:	:	:	2,396 00	59 80	“ “ “
306 pleasure carriages, :	:	:	:	41,615 00	416 15	2 $\frac{1}{2}$ per cent.
631 watches, :	:	:	:	33,590 00	335 90	1 per cent.
560 clocks, :	:	:	:	7,918 00	79 18	1 per cent.
4 ten pin alleys, :	:	:	:		40 00	Specific tax \$10 each
7 Bowie knives, :	:	:	:		7 00	“ “ \$1 each
73 pistols, :	:	:	:		146 00	“ “ \$2 each
6,151 head of cattle over 20 head, :	:	:	:		61 51	“ “ 1 ct. each.
320 race and saddle horses, :	:	:	:	23,050 00	230 50	<i>Ad val'm</i> tax 1 per c't.

Gold and silver plate above \$50,	:	:	:	:	:	:
85 pianos,	:	:	:	:	:	:
8 toll bridges and ferries,	:	:	:	:	:	:
7 stalions, value per season,	:	:	:	:	:	:
5 jacks, value per season,	:	:	:	:	:	:
12 free male negroes,	:	:	:	:	:	:
13,289 slaves,	:	:	:	:	:	:
1,676 white polls,	:	:	:	:	:	:

1,812 00	36 24	" " " 2 " "
15,825 00	47 47	" " tax 3-10 1 pr ct
4,620 00	11 54	" " " $\frac{1}{4}$ of 1 per ct
65 00	65 00	" " " price of seas'n
35 00	35 00	" " " " "
	18 00	" " " \$1 50 each
	7,973 40	" " " 60 cents each
	838 00	" " " 50 " "
		[property.
\$807,966 00	\$12,432 36	Total tax on personal
		\$18,875 67 Total State tax.

Statement continued—*Issaquena county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	268,196	\$1,756,782 00	\$6 55		\$4,391 95	State tax on real es- tate.
“ “ “ 1848,	2,731	17,593 00	6 44			
“ “ after 1848,	748	2,078 00	2 77 $\frac{3}{4}$			
School land,	17,509	62,817 00	3 58 $\frac{3}{4}$			
Lands belonging to the state,	6,402	39,540 00	6 17 $\frac{1}{2}$			
Vacant land,	322,420	531,624 00	1 64 $\frac{3}{4}$			
	618,006	\$2,410,434 00	\$3 90			
Money loaned at interest,	-	-	-	\$7,150 00	21 45	
4 pleasure carriages,	-	-	-	525 00	5 25	
60 watches, -	-	-	-	3,928 00	39 28	
13 clocks, -	-	-	-	359 00	3 59	
1 bowie knife, -	-	-	-		1 00	
10 pistols, -	-	-	-		20 00	
2772 cattle above 20 head,	-	-	-		27 72	
79 race, saddle and carriage horses,	-	-	-	5,135 00	51 35	
Gold and silver plate, -	-	-	-	275 00	5 50	
5 pianos, -	-	-	-	1,275 00	3 82	
1 toll bridge, -	-	-	-	50 00	12	

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3997 slaves, - - - - -
148 white polls, - - - - -

	2,398 20	
	74 00	
\$18,697 00	\$2,677 18	[property. State tax on personal
	\$7,069 13	Total state tax.

Statement continued—*Itawamba County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	442,984	\$676,210 00	\$1 52 $\frac{3}{4}$		\$1,758 06	State tax on real estate.
Town lots,		23,024 00	69 $\frac{3}{4}$			
Land taxable in 1847,	26,870	18,724 00	69 $\frac{3}{4}$			
“ “ “ 1848,	479	119 00	25			
“ “ after 1848,	53,735	38,811 00	72 $\frac{1}{4}$			
Vacant land,	35,784	8,562 00	26 $\frac{1}{2}$			
	559,852	\$765,450 00	\$1 37			
Money loaned at interest, -	-	-	-	\$20,352 00	\$61 05	
Merchandise sold by merchants, -	-	-	-	50,517 00	151 55	
Merchandise sold at auction, -	-	-	-	500 00	12 50	
9 pleasure carriages, -	-	-	-	810 00	8 10	
66 watches, - - -	-	-	-	1,820 50	18 20	
314 clocks, - - -	-	-	-	3,374 25	33 74	
1 Bowie knife, - - -	-	-	-		1 00	
5 pistols, - - -	-	-	-		10 00	
1,582 cattle, - - -	-	-	-		15 82	
11 race, saddle or carriage horses, -	-	-	-	660 00	6 60	
1 toll bridge or ferry, -	-	-	-	50 00	12	

6 stallions,	-	-	-	-	-	-	-
2 jacks,	-	-	-	-	-	-	-
1 free male negroe,	-	-	-	-	-	-	-
1,293 slaves under 60 years old,	-	-	-	-	-	-	-
1,264 white polls,	-	-	-	-	-	-	-

27 00	27 00
7 00	7 00
	1 50
	775 80
	632 00
\$78,117 75	\$1,704 23
	\$3,462 29

[of state tax.
Assessor's calculation

Statement continued.—*Jefferson County.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands now taxable,	239,702	\$1,353,810 35	\$5 64 $\frac{3}{4}$		\$3,384 52	State tax on real es- tate.
“ taxable after 1848,	240	320 00	1 33 $\frac{1}{3}$			
School land,	8,276	29,470 00	3 56			
Vacant lands,	60,151	44,983 00	74 $\frac{3}{4}$			
	308,369	\$1,428,583 35				
Money loaned at interest, -	-	-	-	\$15,032 18	45 09	
Merchandise sold by merchants, -	-	-	-	199,328 18	597 98	
116 pleasure carriages, -	-	-	-	20,315 00	203 15	
118 watches, -	-	-	-	10,247 00	102 47	
155 clocks, -	-	-	-	2,720 00	27 20	
2 ten pin alleys, -	-	-	-		20 00	
2 bowie knives, -	-	-	-		2 00	
28 pistols, -	-	-	-		56 00	
6444 cattle over 20 head, -	-	-	-		64 44	
262 race, saddle and carriage horses, -	-	-	-	18,070 00	180 70	
Gold and silver plate over \$50, -	-	-	-	675 00	13 50	
30 pianos, -	-	-	-	5,975 00	17 92	
4 stallions -	-	-	-	34 00	34 00	

14 free male negroes,	-	-	-	-	-
9,430 slaves under 60 years,	-	-	-	-	-
555 white polls,	-	-	-	-	-

	21 00	
	5,658 00	
	277 50	
\$272,396 36	\$7,324 40	State tax on personal property.
	\$10,708 92	Total State tax.

Statement continued—*Jasper county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	148,410	\$260,606 00	\$1 72½		\$693 70	State tax on real es- tate.
Town lots,		17,250 00				
Land taxable in 1848,	960	1,200 00	1 25			
“ “ after 1848,	6,240	8,360 00	1 34			
School lands,	9,600	10,080 00	1 05			
Vacant land,	256,147	64,037 00	25			
	21,357	\$361,533 00	86			
Money loaned at interest, -	-	-	-	\$1,281 45	3 84	
Merchandise sold by merchants, -	-	-	-	27,034 28	81 10	
12 pleasure carriages, -	-	-	-	1,055 45	10 55	
55 watches, -	-	-	-	1,924 00	19 34	
219 clocks, -	-	-	-	2,851 50	28 51	
1 bowie knife, -	-	-	-		1 00	
18 pistols, -	-	-	-		36 00	
2533 cattle over 20 head, -	-	-	-		25 33	
2 1 race, saddle and carriage horses, -	-	-	-	1,525 00	15 25	
4 stallions, -	-	-	-	26	26 00	
1 jack, -	-	-	-	3	3 00	

1500 slaves - - - - -
 558 white polls, - - - - -

	900 00	
	279 00	
\$35,700 68	\$1,439 33	[property. State tax on personal
	\$2,133 03	Total state tax.

Statement continued.—*Jones county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	13,605	\$ 13,756 68	1 01		\$34 39	State tax on real estate.
“ “ 1847,	160½	200 62	1 25			
“ “ after 1848,	398	414 31	1 04			
School lands,	10,240	1,942 00	19			
Vacant lands,	407,061	22,511 12	5½			
	431,456½	38,824 73	9			
Money loaned at interest,	.	.	.	\$ 730 00	2 19	
Merchandise sold by merchants,	.	.	.	1,005 00	3 01	
2 watches,	.	.	.	25 00	25	
37 clocks,	.	.	.	513 00	5 13	
3,051 cattle over 20 head,	.	.	.		30 51	
1 toll bridge or ferry,	.	.	.	10 00	2	
2 stallions,	.	.	.	6 00	6 00	
186 slaves under 60 years old,	.	.	.		111 60	

214 white polls,

	107 00	
2,289 00	269 74	[estate. State tax on personal
	304 13	Total State tax.

Statement continued—*Jackson county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	82,691	\$ 140,864 84	\$1 70 $\frac{1}{3}$		\$335 26	State tax on real estate.
“ “ 1848,	120	210 00	1 75			
“ “ after 1848,	595	815 00	1 37			
Belonging to the State,	1,345	672 50	50			
School lands,	12,808					
Vacant land,	471,289					
	568,848	\$142,561 84	\$ 25			
Money loaned at interest, -	-	-	-	\$ 1,800 00	5 40	
Merchandise sold by merchants, -	-	-	-	8,300 00	24 90	
2 pleasure carriages, -	-	-	-	350 00	3 50	
21 watches, -	-	-	-	760 00	7 60	
51 clocks, -	-	-	-	905 00	9 05	
1 ten-pin alley, -	-	-	-		10 00	
4,146 cattle over 20 head, -	-	-	-		41 46	
Gold and silver plate over \$50, -	-	-	-	125 00	2 50	
3 pianos, -	-	-	-	410 00	1 23	
4 toll-bridges and ferries, -	-	-	-	305 00	76	
2 stallions, -	-	-	-	11 00	11 00	

5 free male negroes, - - - - -
 489 slaves, over 60 years old, - - - - -
 213 white polls, - - - - -

	.7 50	
	293 40	
	106 50	
\$12,966 00	\$525 40	[property, State tax on personal
	\$860 66	Total State tax.

Statement continued.—*Kemper county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	239,241	\$512,420 50	2 14		\$1,281 05	State tax on real estate
“ “ “ 1847,	480	1,600 00	3 33½			
“ “ “ 1848,	4,202	10,919 50	2 49			
“ “ after 1848,	9,480	23,710 00	2 50			
*School lands,	7,200	11,600 00	1 61			
Vacant land,	224,255	128,966 00	57½			
	484,858	689,216 00	1 42			
Money loaned at interest, :	:	:	:	\$11,418 00	34 25	
Merchandise sold by merchants, :	:	:	:	43,718 00	131 15	
49 pleasure carriages, :	:	:	:	7,895 00	78 95	
108 watches, : :	:	:	:	3,377 00	33 77	
222 clocks, : :	:	:	:	2,838 00	28 38	
1 bowie knife, : :	:	:	:		1 00	
11 pistols, : :	:	:	:		22 00	
2,565 cattle over 20 head, :	:	:	:		25 65	
26 race, saddle and carriage horses, :	:	:	:	1,855 00	18 55	
Gold and silver plate over \$50, :	:	:	:	25 00	50	
15 pianos, : :	:	:	:	3,150 00	9 45	

4 stallions,	:	:	:	:	:	:	:	23 00	23 00	
2 jacks,	:	:	:	:	:	:	:	11 00	11 00	
2 free male negroes,	:	:	:	:	:	:	:		3 00	
4,115 slaves under 60 years,	:	:	:	:	:	:	:		2,469 00	
967 white polls,	:	:	:	:	:	:	:		488 50	
								64,310 00	3,373 28	State tax on personal
										estate.
									4,654 33	State tax total.

Statement continued.—*Lowndes county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PER- SONAL PRO- PERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	376,406	\$1,993,837 00	5 29½		\$5,192 37	
“ “ “ 1847,	120	290 00	2 41			
“ “ “ 1848,	912	3,506 00	3 84			
Vacant lands,	2,472	2,312 00	. 93¾			
Town lots not included above,		26,675 00			66 80	
School lands not valued,	8,960				5,259 17	State tax on real estate
	388,870	2,026,620 00	5 21			
Money loaned at interest, :	:	:	:	\$128,058 85	384 17	
Merchandise sold by merchants, :	:	:	:	371,886 77	1,115 66	
Merchandise sold at auction, :	:	:	:	16,326 00	408 15	
234 pleasure carriages, :	:	:	:	41,478 00	414 78	
382 watches, :	:	:	:	18,994 00	189 94	
481 clocks, :	:	:	:	6,235 00	62 35	
1 race track, :	:	:	:		50 00	
8 bowie knives, :	:	:	:		8 00	
69 pistols, :	:	:	:		138 00	
2,322 cattle over 20 head, :	:	:	:		23 22	

189 race, saddle or carriage horses,	:	:	:	13,620 00	136 20
Gold and silver plate over \$50,	:	:	:	1,555 00	31 00
54 pianos,	:	:	:	11,580 00	34 74
6 bridges or ferries,	:	:	:	23,500 00	58 75
5 stallions,	:	:	:	34 00	34 00
3 jacks,	:	:	:	15 00	15 00
3 free male negroes,	:	:	:		4 50
10,882 slaves under 60 years,	:	:	:		6,529 20
1,266 white polls,	:	:	:		633 00
				633,282 62	10,282 20
					State tax on personal estate.
					15,541 37
					Total State tax.

Statement continued—*Lafayette County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	475,444	\$941,178 80	1 98			
“ “ 1847,	960	2,960 00	3 08½			
“ “ 1848,	480	120 00	25			
“ “ after 1848,	5,280	5,400 00	1 02½			
“ belonging to the State,	800	6,440 00	8 05			
Vacant lands,	4,320	976 00	18½		\$2,602 93	State tax on real es-
	487,284	957,074 80	1 96½			tate.
Money loaned at interest,	-	-	-	\$12,593 69	37 80	
Merchandise sold by merchants,	-	-	-	51,688 00	155 06	
30 pleasure carriages,	-	-	-	4,505 00	45 05	
88 watches,	-	-	-	3,511 00	35 11	
272 clocks,	-	-	-	2,500 00	25 00	
2 bowie knives,	-	-	-		2 00	
16 pistols,	-	-	-		32 00	
1,036 cattle over 20 head,	-	-	-		10 36	
40 saddle, race, or carriage horses,	-	-	-	3,110 00	31 10	
Gold and silver plate,	-	-	-	15 00	30	
5 pianos,	-	-	-	1,150 00	3 45	

5 toll bridges or ferries, ...
 3 stallions, ...
 3 jacks, ...
 3478 slaves under 60 years, ...
 991 white polls, ...

2,100 00	5 25	
15 00	15 00	
14 00	14 00	
	2,086 80	
	495 50	
81,201 69	2,993 83	State tax on personal property.
	5,596 76	Total State tax.

Statement continued—*Leake county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	234,966	\$371,917 00	\$1 57 $\frac{3}{4}$		\$929 86	State tax on real es- tate.
Belonging to the State,	360	360 00	1 00			
School lands,	9,660	4,128 00	42 $\frac{3}{4}$			
Vacant lands,	128,840	46,919 00	36 $\frac{1}{2}$			
	373,826	\$423,354 00	1 13			
Money loaned at interest,	.	.	.	\$1365 00	3 09	
Merchandise sold by merchants,	.	.	.	20,895 00	62 68	
12 pleasure carriages,	.	.	.	1,414 00	14 14	
30 watches,	.	.	.	888 00	8 88	
139 clocks,	.	.	.	1,939 00	19 39	
10 pistols,	.	.	.		20 00	
1519 cattle over 20 head,	.	.	.		15 19	
8 race, saddle and carriage horses,	.	.	.	605 00	6 05	
1 piano,	.	.	.	50 00	15	
8 toll bridges or ferries,	.	.	.	1,390 00	3 47	
3 stallions,	.	.	.	22 00	22 00	
1 free male negro,	.	.	.		1 50	
1056 slaves under 60 years old,	.	.	.		633 60	

480 white polls, ...

	240 00	
\$27,568 00	\$1,051 16	State tax on personal estate.
	\$1,981 02	Total State tax.

Statement continued—*Lauderdale County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	122,920	\$383,927 89	3 12½		\$959 80	State tax on real estate
“ taxable in 1847,	320	2,108 12	6 58½			
“ “ “ 1848,	7,990	28,013 56	3 50½			
“ “ after 1848.	3,701	12,173 12	3 26			
Belonging to the State,	324	415 17	1 28			
School lands,	6,673	3,461 21	51½			
Vacant lands,	293,448	61,220 40	20½			
	435,376	\$491,319 47	1 12½			
Money loaned at interest,	-	-	-	\$6,170 22	18 51	
Merchandise sold by merchants,	-	-	-	58,223 85	174 67	
31 pleasure carriages,	-	-	-	3,167 00	31 67	
32 watches,	-	-	-	810 00	8 10	
276 clocks,	-	-	-	3,596 00	35 96	
3 ten pin allies,	-	-	-		30 00	
1 bowie knife,	-	-	-		1 00	
12 pistols,	-	-	-		24 00	
747 cattle over 20 head,	-	-	-		7 47	
13 race, saddle, or carriage horses,	-	-	-	910 00	9 10	

Gold and silver plate,	.	.	.	.	.	50 00	1 00	
1 piano,	.	.	.	.	.	150 00	45	
2 stallions,	.	.	.	.	.	9 00	9 00	
1 free male negro,	.	.	.	.	.		1 50	
2,070 slaves under 60 years old,	.	.	.	.	.		1,242 00	
817 white polls,	.	.	.	.	.		408 50	
						73,080 07	2,033 91	State tax on personal estate.
							2,993 71	Total State tax.

Statement continued.—*Lawrence county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	127,036	\$297,793 50	2 34½		\$744 79	State tax on real estate
“ taxable in 1847,	270	940 00	3 48			
“ “ 1848,	320	1,240 00	3 87½			
“ “ after 1848,	1,113	2,629 00	2 36½			
School lands,	11,530	5,580 00	48½			
Vacant lands,	432,418	125,824 00	29			
	572,687	434,006 50	75½			
Money loaned at interest, :	:	:	:	\$14,165 00	42 49	
Merchandise sold by merchants, :	:	:	:	45,714 00	137 14	
17 pleasure carriages, :	:	:	:	1,400 00	14 00	
77 watches, :	:	:	:	2,445 00	24 45	
254 clocks, :	:	:	:	3,015 50	30 15	
2 bowie knives, :	:	:	:		2 00	
15 pistols, :	:	:	:		15 00	
2,217 cattle over 20 head, :	:	:	:		22 17	
32 race, saddle and carriage horses, :	:	:	:	2,312 00	23 12	
Gold and silver plate, :	:	:	:	100 00	2 00	
3 pianos, :	:	:	:	650 00	1 95	

2 bridges or ferries,	:	:	:	:	:	:	425 00	1 06	
6 stallions,	:	:	:	:	:	:	38 00	38 00	
2 jacks,	:	:	:	:	:	:	10 00	10 00	
1 free male negroe,	:	:	:	:	:	:		1 50	
2,454 slaves under 60 years,	:	:	:	:	:	:		1,472 40	
578 white polls,	:	:	:	:	:	:		289 00	
							70,276 50	2,142 50	State tax on personal
									estate.
								2,887 29	Total State tax.

Statement continued.—*Madison county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	429,696	\$ 2,357,960 50	5 59			
Town lots,		175,135 00			\$6, 332 73	State tax on real estate
		2,533,095 50	5 90			
Money loaned at interest, :	:	:	:	\$ 10,089 17	30 16	
Merchandise sold by merchants, :	:	:	:	177,548 00	532 64	
297 pleasure carriages, :	:	:	:	44,835 00	448 35	
310 watches, : :	:	:	:	17,056 00	170 56	
279 clocks, : :	:	:	:	4,554 00	45 54	
3 bowie knives, : :	:	:	:		7 00	
77 pistols, : :	:	:	:		144 00	
6,663 cattle over 20 head, :	:	:	:		66 63	
265 saddle and race, horses, :	:	:	:	19,532 00	195 32	
Gold and silver plate over \$50, :	:	:	:	483 00	9 66	
47 pianos, : :	:	:	:	9,710 00	29 13	
2 toll bridges and ferries, :	:	:	:	3,600 00	9 00	
6 stallions, : :	:	:	:	59 00	59 00	
5 Jacks, : :	:	:	:	25 00	25 00	
2 free male negroes, : :	:	:	:		3 00	

13,267 slaves, :	:	:	:	:	:	:	7,960 20
969 white polls, :	:	:	:	:	:	:	484 50
							10,449 94
							16,782 67

State tax on personal
property.

Total State tax.

Statement continued—*Marshall county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	428,905	\$2,330,030 00	\$5 43 1/4		\$5,825 07	State tax on real estate. No. of acres not given in the assessment.
“ taxable in 1847,	160	640 00	4 00			
“ “ “ 1848,	1,760	2,480 00	1 41			
School lands not taxable,		55,350 00				
	430,825	\$2,388,500 00	\$5 54			
Money loaned at interest, :	:	:	:	\$58 320 00	174 96	
Merchandise sold by merchants, :	:	:	:	201,463 00	604 39	
Bank stock, : :	:	:	:	58,720 00	146 80	
209 pleasure carriages, :	:	:	:	33,030 00	330 30	
325 watches, : :	:	:	:	12,795 00	127 95	
690 clocks, : :	:	:	:	5,308 00	53 08	
2 ten pin alleys, : :	:	:	:		20 00	
4 Bowie knives, : :	:	:	:		4 00	
54 pistols, : :	:	:	:		108 00	
1687 cattle over 20 head, :	:	:	:		16 87	
152 race, saddle and carriage horses, :	:	:	:	10,157 00	101 57	
Gold and silver plate over \$50 :	:	:	:	550 00	11 00	
48 pianos, : :	:	:	:	10,470 00	31 41	

15 stallions, :	:	:	:	:	:	:	77 00	77 00	
11 jacks, :	:	:	:	:	:	:	42 00	42 00	
3 free male negroes, :	:	:	:	:	:	:		4 50	
10,945 slaves under 60 years,	:	:	:	:	:	:		6,567 00	
2,254 white polls, :	:	:	:	:	:	:		1,127 00	
							\$390,932 00	\$9,580 28	[estate. State tax on personal
								\$15,405 35	Total State tax.

Statement Continued—*Monroe County.*

ITEMS OF TAXATION, &c.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	356,633	\$1,953,674 66	\$5 47½		\$5,778 26	State tax on real estate.
“ “ “ 1847,	360	3,490 00	9 69½			
“ “ “ 1848,	160	320 00	2 00			
“ “ after, 1848,	3,391	5,997 75	1 47½			
School land,	640	3,230 00	5 04½			
Vacant land,	97,735	9,772 00	10			
Town lots,		295,036 00				
	458,919	\$2,271,520 41	4 95			
Money loaned at interest, :	:	:	:	\$56,030 00	168 09	
Merchandise sold by merchants, :	:	:	:	448,355 00	1,345 06	
Merchandise sold at auction :	:	:	:	300 00	7 50	
186 pleasure carriages, :	:	:	:	26,070 00	260 70	
257 watches, :	:	:	:	12,393 00	123 93	
445 clocks, :	:	:	:	4,279 00	42 79	
2 ten pin alleys, :	:	:	:		20 00	
5 Bowie knives, :	:	:	:		5 00	
50 pistols, :	:	:	:		100 00	
1,802 head of cattle over 20 head, :	:	:	:		18 02	

71 race, saddle or carriage horses,	:	:	:	:	5,381 00	53 81	
Gold and silver plate above \$50,	:	:	:	:	200 00	4 00	
28 pianos,	:	:	:	:	6,150 00	18 45	
9 stallions,	:	:	:	:	55 00	55 00	
3 jacks,	:	:	:	:	18 00	18 00	
3 free male negroes,	:	:	:	:		4 50	
8,363 slaves under 60 years,	:	:	:	:		5,017 80	
1,438 white polls,	:	:	:	:		719 00	
					\$559,231 00	\$7,699 93	[estate. Total tax on personal
						\$13,478 19	Total State tax.

Statement Continued.—*Marion County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PER SONAL PRO- PERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	81,759	\$106,042 48	1 29½		\$282 20	State tax on real estate
“ “ after 1848,	691	721 00	1 06			
School lands,	24,848	4.969 72	20			
Vacant land,	819,911	164,938 02	20			
	927,199	276,671 22	30			
Money loaned at interest, .	.	.	.	\$84,755 00	254 26	
Merchandise sold by merchants, .	.	.	.	10,620 70	31 86	
11 pleasure carriages, .	.	.	.	1,200 00	12 00	
21 watches, .	.	.	.	695 00	6 95	
100 clocks, .	.	.	.	1,178 00	11 78	
7,525 cattle over 20 head, .	.	.	.	7,525 00	75 25	
race, saddle and carriage horses, .	.	.	.	260 00	2 60	
Gold and silver plate, .	.	.	.	140 00	2 80	
1 piano, .	.	.	.	200 00	60	
2 toll bridges or ferries, .	.	.	.	400 00	1 00	
1 stallion, .	.	.	.	6 00	6 00	
1 jack, .	.	.	.	5 00	5 00	

1,838 slaves under 60 years,	-	-	-	-		1,102 80	
272 white polls,	-	-	-	-		136 00	
					99,459 70	1,652 00	State tax on personal
						1,934 20	estate.
							Total State tax.

Statement continued—*Newton county,*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	156,230	\$224,040 65	81 43½		\$560 61	State tax on real estate
“ “ “ 1848,	720	1,236 34	1 71½			
“ “ after '848,	1,280	466 00	36½			
“ belonging to the State,	1,924	1,409 81	73½			
School lands,	8,160	2,144 00	26½			
Vacant lands,	193,518	33,384 10	17			
	361,832	262,680 90	73			
Money loaned at interest, :	:	:	:	\$1,797 90	5 39	
Merchandise sold by merchants, :	:	:	:	12,435 10	37 30	
2 pleasure carriages, :	:	:	:	309 50	3 09	
16 watches, : :	:	:	:	349 50	3 49	
106 clocks, -- : :	:	:	:	1,257 50	12 57	
3 Bowie kives, : :	:	:	:		3 00	
8 pistols, : :	:	:	:		16 00	
2,556 cattle over 20 head, :	:	:	:		25 56	
6 race, saddle and carriage horses, :	:	:	:	375 00	3 75	
5 stallions, : :	:	:	:	29 00	29 00	

2 jacks, : : : : :
 840 slaves, : : : : :
 435 white polls, : : : : :

10 00 10 00
 504 00
 217 50

\$16,563 50	870 67
\$1,431 28	

State .ax on personal property.

11-10

Statement continued—Noxubee county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land now taxable,	386,177	\$2,071,482 00	\$5 36			
Town lots,		70,190 00			\$5,354 93	State tax on real es- tate.
Land taxable in 1847,	2,200	6,740 00	3 06½			
“ “ “ 1848,	1,440	5,320 00	3 70			
“ “ after 1848,	1,600	4,000 00	2 50			
Lands belonging to the state,	1,331	1,100 00	82½			
School land,	4,880	9,000 00	1 84½			
Vacant land,	96,138	52,835 00	55			
	493,666	\$2,220,967 00	\$4 50			
Money loaned at interest,	-	-	-	\$21,873 00	74 61	
Merchandise sold by merchants,	-	-	-	138,823 00	416 46	
Merchandise sold at auction,	-	-	-	20 00	40	
139 pleasure carriages,	-	-	-	21,795 00	217 95	
141 watches, -	-	-	-	7,458 00	74 58	
211 clocks, -	-	-	-	2,972 00	29 72	
6 bowie knives -	-	-	-		6 00	
37 pistols, -	-	-	-		74 00	
9268 cattle above 20 head,	-	-	-		32 68	

97 race, saddle and carriage horses,	:	:	:	:	7,204 00	72 04
22 pianos,	:	:	:	:	3,825 00	11 47
3 bridges or ferries,	:	:	:	:	1,070 00	2 17
4 stallions,	:	:	:	:	42 00	42 00
4 jacks,	:	:	:	:	23 00	23 00
1 free male negro,	:	:	:	:		1 50
10,105 slaves under 60 years old,	:	:	:	:		6,063 00
1100 free polls,	:	:	:	:		550 00

\$211,105 00	\$7,722 30	State tax on personal property.
	\$13,077 23	Total State tax.

Statement continued—Neshoba county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	180,130	\$209,267 00	\$1 16		\$522 91	State tax on real estate.
“ “ “ 1847,	380	1,601 37	4 21½			
“ “ “ 1848,	1,384	2,762 30	2 00			
“ “ after 1848,	479	1,578 43	3 29¼			
“ belonging to the State,	9,303	5,457 61	58¾			
School lands,	7,702	4,180 00	54			
Vacant lands,	186,988	83,248 24	44½			
	386,366	\$308,094 95	80			
Money loaned at interest, :	:	:	:	\$2,957 00	8 97	
Merchandise sold by merchants, :	:	:	:	24,237 00	72 71	
9 pleasure carriages, :	:	:	:	1,105 00	11 05	
35 watches, : :	:	:	:	1,111 00	11 11	
121 clocks. : :	:	:	:	1,653 00	16 53	
7 pistols, : :	:	:	:		24 13	
2413 cattle over 20 head, :	:	:	:		14 00	
13 race, saddle and carriage horses, :	:	:	:	865 00	8 65	
2 pianos, : :	:	:	:	495 00	1 48	
1 stallion, : :	:	:	:	5 00	3 00	

813 slaves under 60 years old,	:	:	:	:		487 80.	
397 white polls,	:	:	:	:		198 50.	
						\$860 48	State tax on personal property.
						\$1,383 29	Total State tax.

Statement Continued.—*Oktibbeha County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	318,935	\$768,192 79	2 47		\$1,968 97	State tax on real es- tate.
“ “ after 1848,	2,963	3,698 83	1 28			
“ belonging to the State,	3,463	4,780 54	1 38			
School lands,	3,830	4,160 00	1 08½			
Vacant lands,	40,435	24,279 93	60			
	369,626	825,112 09	2 23			
Money loaned at interest,	:	:	:	\$27,480 00	82 44	
Merchandise sold by merchants,	:	:	:	34,740 00	104 22	
64 pleasure carriages,	:	:	:	10,875 00	108 75	
219 watches, : :	:	:	:	4,672 00	46 72	
217 clocks, : :	:	:	:	2,333 00	23 33	
25 pistols, : :	:	:	:		50 00	
1870 cattle over 20 head,	:	:	:		18 70	
54 race, saddle and carriage horses,	:	:	:	4,125 00	41 25	
11 pianos, : :	:	:	:	2,415 00	7 24	
5 stallions, : :	:	:	:	28 00	28 00	
5 jacks, : :	:	:	:	25 00	25 00	
5 free male negroes, ;	:	:	:		7 50	

Statement Continued—*Pontotoc County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE OF PER- VALUE SONAL PRO- PERTY, "	STATE TAX.	REMARKS.
Land taxable in 1846,	573,120	\$1,375,628 00	2 40	\$ 3440 27	State tax on real estate
Land not yet taxable,	2,240	960 00	42 3		
Vacant land,	640	not valued			
	576,000	1,376,588 00	2 39		

Money loaned at interest,	-	-	-	\$8,342 97	25 02
Merchandise sold by merchants,	-	-	-	82,620 51	247 86
21 pleasure carriages,	-	-	-	3,490 00	34 90
39 watches,	-	-	-	1,700 00	17 00
157 clocks,	-	-	-	1,854 00	18 54
3 bowie knives,	-	-	-		3 00
16 pistols,	-	-	-		32 00
676 cattle over 20 head,	-	-	-		6 76
20 race, saddle and carriage horses,	-	-	-	1,640 00	16 40
5 pianos,	-	-	-	1,250 00	3 75
1 stallion,	-	-	-	10 00	10 00
3 jacks,	-	-	-	11 00	11 00

2991 slaves under 60 years, -
 1268 white polls, -

	1,794 60	
	634 00	
100,918 48	3,181 30	[property. State tax on personal
	6,621 57	Total State tax.

Statement Continued.—*Panola County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	344,152	\$1,415,153 54	\$4 11		\$3,537 88	State tax on real es- tate.
“ “ “ 1847,	12,728	4,261 00	33½			
“ “ “ 1848,	3,790	4,005 10	1 05½			
“ “ after 1848,	14,457	45,411 16	3 14			
Belonging to the State,	12,024	14,807 75	1 23			
School lands,	7,848	14,299 75	1 82			
Vacant lands,	88,602	60,761 75	58			
	483,601	\$1,558,700 05	\$3 22½			
Money loaned at interest,	:	:	:	\$57,474 08	172 42	
Merchandise sold by merchants,	:	:	:	73,222 54	219 67	
72 pleasure carriages,	:	:	:	11,875 00	118 75	
146 watches, :	:	:	:	6,796 00	67 96	
213 clocks, :	:	:	:	1,750 00	17 50	
3 Bowie knives, :	:	:	:		3 00	
26 pistols, :	:	:	:		52 00	
2,343 cattle over 20 head,	:	:	:		23 43	
83 race, saddle or carriage horses,	:	:	:	5,942 50	59 42	
Gold and silver plate, :	:	:	:	191 00	4 77	

10 pianos,	:	:	:	:	:	:	1,915 00	5 74	
6 toll bridges or ferries,	:	:	:	:	:	:	2,050 00	5 12	
8 stallions,	:	:	:	:	:	:	51 00	51 00	
3 jacks,	:	:	:	:	:	:	19 00	19 00	
3 free male negros,	:	:	:	:	:	:		4 50	
4,723 slaves under 60 years,	:	:	:	:	:	:		2,883 80	
785 white polls,	:	:	:	:	:	:		392 50	
							\$161,296 08	\$4,050 60	[estate. State tax on personal
								\$7,588 48	Total State tax.

Statement continued—*Pike County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	107,269	\$317,073 45	\$2 95½		\$792 68	State tax on real estate.
Land taxable in 1847,	157	657 00	6 00			
“ “ “ 1848,	80	210 00	2 62½			
“ “ after 1848,	2,038	6,434 00	3 15¾			
School lands,	11,900	8,361 00	70¼			
Vacant lands,	404,794	84,078 00	20¾			
	526,238	416,813 45	79			
Money loaned at interest,	-	-	-	\$39,435 72	118 31	
Merchandise sold by merchants,	-	-	-	34,694 82	103 08	
Merchandise sold at auction,	-	-	-	135 00	3 35	
16 pleasure carriages,	-	-	-	2,305 00	23 05	
70 watches,	-	-	-	2,533 00	25 33	
250 clocks,	-	-	-	3,227 50	32 27	
2 Bowie knives,	-	-	-		2 00	
11 pistols,	-	-	-		22 00	
2,022 head of cattle over 20 head,	-	-	-		20 22	
22 race, saddle or carriage horses,	-	-	-	1,767 50	17 67	
Gold and silver plate,	-	-	-	20 00	40	

4 pianos,	-	-	-	-	950 00	2 85	
1 toll bridge or ferry,	-	-	-	-	65 00	16	
4 stallions,	-	-	-	-	19 00	19 00	
4 free male negroes,	-	-	-	-		6 00	
2,658 slaves under 60 years old,	-	-	-	-		1,594 80	
651 white polls,	-	-	-	-		325 50	
					85,152 54	2,658 65	State tax on personal estate.
						3,451 33	Total State tax.

Statement continued.—*Perry County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	39,999	\$38,754 00	\$ 96½		\$96 88	State tax on real es- tate.
“ “ “ 1847,	120	120 00	1 00			
“ “ “ 1848,	240	240 00	1 00			
“ “ after 1848,	160	160 00	1 00			
Belonging to the State,	1,009	422 00	42½			
School lands,	19,776	4,191 00	21			
Vacant land,	650,534	88,203 70	10½			
	711,838	132,090 70	18½			
Money loaned at interest, -	-	-	-	\$3,682 00	10 04	
Merchandise sold by merchants, -	-	-	-	1,445 00	4 33	
4 pleasure carriages, -	-	-	-	260 00	2 60	
13 watches, -	-	-	-	308 00	3 08	
60 clocks, -	-	-	-	498 50	4 98	
6 pistols, -	-	-	-		12 00	
4 race, saddle and carriage horses, -	-	-	-	340 00	3 40	
3 bridges or ferries, -	-	-	-	180 00	45	
1 stallion, -	-	-	-	5 00	5 00	
7,798 cattle over 20 head, -	-	-	-		77 98	

1 free male negro,	-	-	-	-	-
544 slaves under 60 years,	-	-	-	-	-
203 white polls,	-	-	-	-	-

	1 50	
	326 40	
	101 50	
6,718 00	559 25	State tax on personal estate.
	656 13	Total State tax.

Statement continued.—Rankin county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Taxable land in 1846,	353.814	\$949,279 97	2 68		\$2,371 99	Land tax $\frac{1}{4}$ of 1 pr cent
“ “ 1848,	240	721 17	3 00			
“ after 1848,	2,021	8,030 67	3 97			
Belonging to the State,	8,924	25,218 30	2 83			
School lands,	13,440	61,510 00	4 57			
Vacant lands,	126,258	136,542 50	1 08			
	504,697	181,302 61	2 34			
Merchandise sold,	:	:	:	\$19,991 00	59 97	Ad val. tax 3-10 1 pr ct
Money loaned at interest, :	:	:	:	1,910 00	5 73	“ “ “ “
18 pleasure carriages,	:	:	:	2,045 00	20 45	“ “ 1 per cent.
57 watches, :	:	:	:	2,238 00	22 38	“ “ “ “
165 clocks, :	:	:	:	2,268 00	22 68	“ “ “ “
2 bowie knives, :	:	:	:		2 00	Specific tax \$1 each,
9 pistols, :	:	:	:		18 00	“ “ \$2 each,
1,580 cattle over 20 head,	:	:	:		15 80	“ “ 1 ct each
16 saddle and race horses,	:	:	:	1,220 00	12 20	Ad val. tax 1 pr ct each
3 pianos, :	:	:	:	600 00	1 80	“ “ 3-10 of 1 pr ct
Silver plate over \$50,	:	:	:	50 00	1 00	“ “ 2 per cent.

4 stallions,	:	:	:	:	:	:	:	25 00	25 00	"	"	price of season
2 jacks,	:	:	:	:	:	:	:	9 00	9 00	"	"	"
629 white polls,	:	:	:	:	:	:	:		314 50			Specific tax 50 cts each
2,431 slaves,	:	:	:	:	:	:	:		1,458 60	"	"	60 " "
								30,356 00	1,990 46	Tax on personal pro-		
										perty.		
									4,362 45	Total state tax.		

Statement continued—*Smith county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	60,556	\$133,177 22	\$2 19 $\frac{3}{4}$		\$332 94	State tax on real es- tate.
School lands,	12,800	10,400 00	81 $\frac{1}{4}$			
Vacant land,	384,551	152,056 00	47 $\frac{1}{2}$			
	457,907	\$325,633 00	71			
Money loaned at interest,	-	-	-	\$3,079 00	9 24	
Merchandise sold by merchants,	-	-	-	9,845 00	29 53	
6 pleasure carriages,	-	-	-	530 00	5 30	
31 watches,	-	-	-	903 00	9 03	
223 clocks,	-	-	-	3,165 00	31 65	
2 bowie knives,	-	-	-		2 00	
15 pistols,	-	-	-		30 00	
2393 cattle over 20 head,	-	-	-		23 93	
18 race, saddle and carriage horses,	-	-	-	1,260 00	12 60	
2 stallions,	-	-	-	11 00	11 00	
2 jacks,	-	-	-	10 09	10 00	

756 slaves						453 60	
405 white polls,						202 50	
					\$18,803 00	\$830 38	[property. State tax on personal
						\$1,163 32	Total state tax.

Statement continued—Sunflower county.

ITEMS OF TAXATION.	No. of ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	121,529	\$272,115 02	\$2 23½		\$678 04	State tax on real estate.
“ “ 1848,	1,475	12,538 52	8 50			
“ “ after 1848,	2,142	17,425 00	8 13½			
Belonging to the State,	136,473	170,764 78	1 25			
School lands,	16,377	21,494 46	1 31			
Vacant land,	276,912	220,740 20	80			
	555,199	\$715,077 98	\$1 28½			

Merchandise sold by merchants,	-	-	-	\$75 00	21	
1 pleasure carriage,	-	-	-	250 00	2 50	
9 watches,	-	-	-	270 00	2 70	
11 clocks,	-	-	-	172 00	1 72	
7 pistols,	-	-	-		14 00	
260 cattle over 20 head,	-	-	-		2 60	
5 race, saddle or carriage horses,	-	-	-	195 00	1 95	
1 piano,	-	-	-	150 00	45	
2 toll-bridges and ferries,	-	-	-	125 00	31	

399 slaves under 60 years old,
142 white polls,

- - - - -
- - - - -

239 10

71 00

\$1,237 00

\$ 337 44

[property.
State tax on personal

\$1,015 48 Total State tax.

Statement continued.—*Simpson county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	73,129	\$124,140 05	1 69 $\frac{2}{3}$		\$311 27	Tax on real state.
“ “ 1847,	120	150 00	1 25			
“ “ 1848,	670	890 00	1 32 $\frac{3}{4}$			
“ “ after 1848,	1,800	2,752 00	1 53			
School lands,	9,710	2,925 00	30			
Vacant lands,	283,992	76,823 00	23 $\frac{1}{2}$			
	369,421	207,680 05	56 $\frac{1}{4}$			
Money loaned at interest,	.	.	.	\$ 10,093 00	30 28	
Merchandise sold by merchants,	.	.	.	6,513 00	19 54	
4 pleasure carriages,	.	.	.	475 00	4 75	
23 watches,	.	.	.	855 00	8 55	
163 clocks,	.	.	.	2,061 00	20 61	
3 pistols,	.	.	.		6 00	
1,509 cattle over 20 head,	.	.	.		15 09	
3 race, saddle or carriage horses,	.	.	.	250 00	2 50	
2 stallions,	.	.	.	11 00	11 00	

1187 slaves under 60 years old,	.	.	.	.		712 20	
384 white polls,	.	.	.	.		192 00	
					20,258 00	1,022 51	[estate. State tax on personal
						1,333 78	Total State tax.

Statement continued—*Scott County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	199,792	\$319,393 00	1 60			
“ “ 1847,	40	80 00	2 00			
“ “ 1848,	120	150 00	1 25			
“ “ after 1848,	62	77 50	1 25			
“ belonging to the State,	8,073	4,915 00	60			
School lands,	9,600	9,464 00	98 $\frac{1}{2}$			
Vacant lands,	169,226	39,556 00	23 $\frac{1}{3}$		\$798 48	State tax on real es- tate.
	386,913	373,635 50	96 $\frac{1}{2}$			
Money loaned at interest, -	-	-	-	\$ 1,053 88	3 16	
Merchandise sold by merchants, -	-	-	-	27,425 62	82 27	
12 pleasure carriages, -	-	-	-	1,085 26	10 85	
12 watches, -	-	-	-	1,018 00	10 18	
161 clocks, -	-	-	-	2,644 50	26 44	
4 pistols, -	-	-	-		8 00	
1,033 cattle over 20 head, -	-	-	-		10 38	
6 head of saddle, race horses, &c -	-	-	-	565 00	5 65	
1 bridge or ferry, -	-	-	-	1,200 00	3 00	
3 stallions, -	-	-	-	19 00	19 00	

1 free male negro,	-	-	-	-	-	1 50	
800 slaves under 60 years old,	-	-	-	-	-	480 00	
373 white polls,	-	-	-	-	-	186 50	
						35,011 26	487 04
						1,645 52	Total state tax.

[property.
State tax on personal

Statement continued.—*Tishemingo county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PER- SONAL PRO- PERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	503,628	\$905,788 50	\$1 79 $\frac{3}{4}$		\$2,264 $\frac{7}{8}$ 56	State tax on real estate.
“ “ “ 1847,	64,391	46,952 87	73			
“ “ “ 1848,	16,307	12,417 00	76			
“ “ after 1848,	40,804	21,863 25	53 $\frac{1}{2}$			
Vacant land,	89,108	13,398 75	15			
	714,238	1,000,420 37	1 40			
Money loaned at interest, :	:	:	:	\$6,352 00	18 05	
Merchandise sold by merchants, :	:	:	:	104,256 00	312 77	
30 pleasure carriages, :	:	:	:	2,360 00	23 60	
100 watches, : :	:	:	:	2,317 50	23 17	
488 clocks, : :	:	:	:	3,924 75	39 24	
4 bowie knives, : :	:	:	:		4 00	
40 pistols, : :	:	:	:		80 00	
869 cattle over 20 head, : :	:	:	:		8 69	
43 race, saddle and carriage horses, :	:	:	:	2,400 00	24 00	
3 pianos, : :	:	:	:	450 00	1 35	
4 toll bridges and ferries, : :	:	:	:	4,300 00	10 75	
13 stallions, : :	:	:	:	48 00	48 00	

5 jacks,	:	:	:	:	:	:
1 free male negro,	:	:	:	:	:	:
1,265 slaves under 60 years,	:	:	:	:	:	:
1,494 white polls,	:	:	:	:	:	:

12 50	12 50	
	1 50	
	759 00	
	747 00	
126,420 75	2,116 25	State tax on personal property.
	4,380 81	Total State tax.

Statement continued.—*Tippah county.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	474,948	\$1,260,023 30	\$2 44 1/4		\$3,150 07	State tax on real estate
“ “ “ 1847,	67,380	7,800 75	11 1/2			
“ “ “ 1848,	960	720 00	75			
“ “ after 1848,	42,410	7,339 00	17 1/2			
Vacant land,	52,940	7,708 00	14 1/2			
	638,638	1,283,590 75	2 01			
Money loaned at interest, :	:	:	:	\$15,501 00	46 50	
Merchandise sold by merchants, :	:	:	:	104,917 00	314 75	
41 pleasure carriages, :	:	:	:	4,883 00	48 83	
142 watches, : :	:	:	:	4,405 00	44 05	
644 clocks, : :	:	:	:	5,069 00	50 69	
2 bowie knives, : :	:	:	:		2 00	
21 pistols, : :	:	:	:		42 00	
932 cattle over 20 head, :	:	:	:		9 32	
37 race, saddle and carriage horses, :	:	:	:	2,665 00	26 65	
6 pianos, : :	:	:	:	1,450 00	4 35	
1 toll bridge, : :	:	:	:	1,600 00	4 00	
15 stallions, : :	:	:	:	63 00	63 00	

9 Jacks,	:	:	:	:	:	:	:	27 50	27 50	
1 free male negro,	:	:	:	:	:	:	:		1 50	
3,443 slaves,	:	:	:	:	:	:	:		2,065 80	
1,796 white polls,	:	:	:	:	:	:	:		898 00	
								140,580 50	3,646 89	State tax on personal property.
									6,796 96	Total State tax.

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Statement continued.—*Tunica county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	131,664	\$477,640 42	\$3 55		\$1,199 45	State tax on real estate
“ taxable in 1847,	3,758	6,549 60	1 74½			
“ “ 1848,	1,963	2,282 20	1 16½			
“ “ after 1848,	143,763	178,531 38	1 24			
Vacant lands,	64,330	30,688 00	47½			
	345,478	695,691 60	2 01½			
Money loaned at interest, :	:	:	:	\$100 00	30	
Merchandise sold by merchants, :	:	:	:	25 00	7	
5 watches, :	:	:	:	120 00	1 20	
5 clocks, :	:	:	:	100 00	1 00	
2 pistols, :	:	:	:		4 00	
825 cattle over 20 head, :	:	:	:		8 25	
1 piano, :	:	:	:	400 00	1 20	
2 toll bridges or ferries, :	:	:	:	600 00	1 50	

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393 slaves under 60 years, : : : : :
77 white polls, : : : : :

	235 00	
	38 50	
1,345 00	291 82	State tax on personal estate.
	1,491 27	Total State tax.

Statement Continued.—Wayne County.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PER- SONAL PRO- PERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	58.893	\$82,067 06	1 40½		\$205 16	State tax on real estate
School lands,	14,942	6,362 00	42½			
Vacant land,	401,120*	100,207 10	25			
	474,455	\$188,636 16	40			

Money loaned at interest,	-	-	-	\$2,250 00	6 75	
5 pleasure carriages,	-	-	-	540 00	5 40	
20 watches,	-	-	-	578 00	5 78	
66 clocks,	-	-	-	738 00	7 38	
13 race, saddle and carriage horses,	-	-	-	815 00	8 15	
7 pistols, -	-	-	-		14 00	
4,887 cattle over 20 head,	-	-	-		48 87	
2 pianos,	-	-	-	300 00	90	
1 toll bridge or ferry,	-	-	-	120 00	30	
4 stallions,	-	-	-	31 50	31 50	
1 jack,	-	-	-	7 00	7 00	

1,211 slaves under 60 years, -
 190 white polls, -

	726 60	
	95 00	
5,379 50	957 60	State tax on personal
		estate.
	1,162 76	Total State tax.

Statement continued—Winston county.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	293,984	\$511,279 45	\$1 74		\$1,302 13	State tax on real es- tate.
“ “ “ 1847,	541	1,301 50	2 40½			
“ “ “ 1848,	1,320	4,680 00	3 54½			
“ “ after 1848,	4,886	8,286 25	1 70			
Belonging to the State.	8,874	9,572 75	1 08			
School lands,	10,090	8,718 00	86½			
Vacant lands,	123,914	49,132 00	39½			
	443,603	\$592,969 95	1 33½			
Money loaned at interest,	-	-	-	\$3,521 00	25 56	
Merchandise sold by merchants,	-	-	-	72,625 00	217 87	
Merchandise sold at auction,	-	-	-	52 00	1 30	
56 pleasure carriages,	-	-	-	7,335 00	73 35	
79 watches, -	-	-	-	3,869 00	38 69	
172 clocks, -	-	-	-	2,221 00	22 21	
5 bowie knives, -	-	-	-		5 00	
16 pistols, -	-	-	-		32 00	
1656 cattle over 20 head,	-	-	-		16 56	
30 race, saddle and carriage horses,	-	-	-	2,425 00	24 25	

Gold and silver plate;	-	-	-	-	-	-
8 pianos,	-	-	-	-	-	-
1 toll bridge or ferry,	-	-	-	-	-	-
7 stallions,	-	-	-	-	-	-
1 jack,	-	-	-	-	-	-
2 free male negroes,	-	-	-	-	-	-
2194 slaves under 60 years old,	-	-	-	-	-	-
691 white polls,	-	-	-	-	-	-

10 00	20
1,520 00	4 56
200 00	50
47 00	47 00
6 00	6 00
	3 00
	1,316 40
	345 50
\$98,831 00	\$2,179 60
	\$3,481 73

State tax on personal
estate.

Total State tax.

Statement Continued—Wilkinson County.

ITEMS OF TAXATION, &c.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	264,245	\$1,816,815 00			\$5,115 73	State tax on real estate.
Town lots,		229,385 00			132 55	
“ “ “ 1847,	1,406	4,156 50				Additional assessment of 9,393 acres land.
“ “ “ 1848,	123	578 00			5,248 25	
“ “ after, 1848,	1,098	3,323 00				
School land,	7,282	18,452 67				
Vacant land,	120,994	49,617 40				
	395,148	2,122,027 57	5 37			
Money loaned at interest, :	:	:	:	\$88,572 00	265 72	
Merchandise sold by merchants, :	:	:	:	175,960 00	527 88	
161 pleasure carriages, :	:	:	:	25,396 00	253 96	
323 watches, : :	:	:	:	19,438 00	194 38	
302 clocks, : :	:	:	:	5,985 00	59 85	
1 ten pin alley, : :	:	:	:	10 00	10 00	
10 Bowie knives, : :	:	:	:		10 00	
133 pistols, : :	:	:	:		266 00	
7,204 head of cattle over 20 head, :	:	:	:		72 04	
375 race, and saddle horses, &c. :	:	:	:	29,295 00	292 95	

Gold and silver plate above \$50,	:	:	:	:	1,180 00,	23 60
64 pianos,	:	:	:	:	12,010 00	36 30
1 bridge and ferry,	:	:	:	:	440 00	1 10
5 stalions,	:	:	:	:	53 00	53 00
1 jack,	:	:	:	:	5 00	8 00
6 free male negroes,	:	:	:	:		9 00
11,200 slaves under 60 years,	:	:	:	:		6,720 00
738 white polls,	:	:	:	:		369 00

358,347	9,242 26	Total tax on personal
		property inclusive of a
	14,490 54	small add'l assesment

Statement continued—*Washington County.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands now taxable,	495,864	\$2,914,487 00	5 88		\$7286 22	State tax on real estate
“ belonging to the State,	20,671	57,460 00	2 78			
School lands,	20,682	47,753 00	2 31			
Vacant lands,	190,517	190,517 00	1 00			
	727,734	3,210,217 00	4 41			
Money loaned at interest, -	-	-	-	\$36,561 00	109 68	
Merchandise sold by merchants, -	-	-	-	7,600 00	22 80	
Merchandise sold at auction, -	-	-	-	500 00	12 50	
9 pleasure carriages, -	-	-	-	825 00	8 25	
119 watches, -	-	-	-	7,967 00	79 67	
21 clocks, -	-	-	-	253 00	2 53	
3 bowie knives, -	-	-	-		3 00	
43 pistols, -	-	-	-		86 00	
3475 cattle over 20 head, -	-	-	-		34 75	
103 race, saddle, and carriage horses, -	-	-	-	6,865 00	68 65	
Gold and silver plate over \$50, -	-	-	-	550 00	11 00	
13 pianos, -	-	-	-	2,340 00	6 02	
1 stallion, -	-	-	-	10 00	10 00	

3 jacks,	-	-	-	-	-	-
5 free male negroes,	-	-	-	-	-	-
6,171 slaves under 60 years old,	-	-	-	-	-	-
188 white polls,	-	-	-	-	-	-

15 00	15 00	
	7 50	
	3,702 60	
	94 00	
63,486 00	4,264 95	State tax on personal estate.
	11,561 17	Total State tax.

Statement continued—Warren county.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	339,507	\$3,296,725 00	\$9 71		\$8,285 22	State tax on real es-
“ “ “ 1848,	183	228 75	1 25			tate.
Belonging to the State,	242½	3,634 50	15 02			
School lands not taxable,	5,215	9,680 25	1 85			
Vacant lands,	33,552	41,910 00	1 25			
Town lots not included above,		16,450 00				
	378,699	3,368,628 50	8 89			
- Money loaned at interest, :	:	:	:	\$281,784 33	845 35	3-10 of 1 per cent.
Merchandise sold by merchants, :	:	:	:	1,239,026 00	3,717 09	“ “ “ “
Merchandise sold at auction, :	:	:	:	12,472 00	311 80	2½ per cent.
178 pleasure carriages, :	:	:	:	25,395 00	253 95	1 per cent.
619 watches, : :	:	:	:	34,759 00	347 59	1 “ “
279 clocks, : :	:	:	:	3,303 00	33 03	1 “ “
3 ten pin alleys, : :	:	:	:		30 00	\$10 each.
26 Bowie knives, : :	:	:	:		26 00	\$1 each.
199 pistols, : :	:	:	:		398 00	\$2 each.
8394 cattle over 20 head, :	:	:	:		83 94	1 cent each.
429 saddle and race horses, :	:	:	:	26,135 00	261 35	1 per cent.

Gold and silver plate over \$50	:	:	:	:	3,880 00	77 60	2 per cent.
92 pianos,	:	:	:	:	17,185 00	51 55	3-10 of 1 per cent.
4 toll bridges and ferries,	:	:	:	:	2,420 00	6 05	$\frac{1}{4}$ of 1 per cent.
4 stallions,	:	:	:	:	42 00	42 00	price of season.
4 jacks,	:	:	:	:	9 50	9 50	" " "
3 free male negroes,	:	:	:	:		4 50	\$1 50 each.
10,627 slaves under 60 years,	:	:	:	:		6,376 20	60 cents each.
1,141 white polls,	:	:	:	:		520 50	50 cents each.
						13,480 04	
					1,646,410 83	21,765 26	Total State tax.

Statement continued—Yallobusha county.

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land now taxable,	403,241	\$1,019,052 27	\$2 52½		\$2,569 12	State tax on real es- tate.
Land taxable in 1847,	813	1,650 97	2 03			
“ “ “ 1848,	20,148	35,492 53	1 76			
“ “ after 1848,	20,073	36,155 76	1 80			
Lands belonging to the state,	10,325	34,125 21	3 30½			
School land,	1,605	1,868 06	1 16			
Vacant land,	161,412	91,275 95	56½			
	617,617	1,209,620 75	1 96			
Money loaned at interest, .	.	.	.	\$8,231 37	24 69	
Merchandise sold by merchants, .	.	.	.	243,450 02	730 35	
65 pleasure carriages, .	.	.	.	7,263 00	72 63	
212 watches, .	.	.	.	8,636 00	86 36	
478 clocks, .	.	.	.	6,134 00	61 34	
3 bowie knives .	.	.	.		3 00	
32 pistols, .	.	.	.		64 00	
2201 cattle above 20 head, .	.	.	.		22 01	
81 race, saddle or carriage horses, :	:	:	:	5,220 00	52 20	
Gold and silver plate over \$50, :	:	:	:	20 00	40	

9 pianos,	:	:	:	:	:	:	1,970 00	5 91	
2 bridges or ferries,	:	:	:	:	:	:	1,500 00	3 75	
10 stallions,	:	:	:	:	:	:	77 00	77 00	
1 free male negro,	:	:	:	:	:	:		1 50	
6,640 slaves under 60 years old,	:	:	:	:	:	:		3,984 00	
1,331 white polls,	:	:	:	:	:	:		665 50	
							288,501 39	5,854 79	State tax on personal property.
								8,423 91	Total State tax.

Statement continued—Yazoo county.

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands taxable in 1846,	398,812	\$1,666,192 78	\$4 17½		\$4,924 40	State tax on real es- tate.
State lands,	17,611	52,472 27	2 98			
School lands,	6,810	25,027 50	3 67½			
Town lots,		293,338 00				
Vacant lands,	50,754	50,754 00	1 00			
	473,997	1,959,530 78				
Town lots additional,		8,025 00				
		1,967,555 78	4 15			
Money loaned at interest, :	:	:	:	\$33,675 00	101 02	
Merchandise sold by merchants, :	:	:	:	430,284 00	1,290 85	
Bank stock, : :	:	:	:	829,255 00	2,073 14	
148 pleasure carriages, :	:	:	:	18,900 00	189 00	
229 watches, : :	:	:	:	13,135 00	131 35	
241 clocks. : :	:	:	:	3,937 00	39 37	
4 ten-pin alleys, : :	:	:	:	40 00	40 00	
5 Bowie knives, : :	:	:	:		5 00	

63 pistols,	:	:	:	:	:	:	:	126 00	
6632 cattle over 20 head,	:	:	:	:	:	:	:	66 32	
199 horses, saddle race, &c.,	:	:	:	:	:	:	12,855 00	128 55	
Gold and silver plate,	:	:	:	:	:	:	150 00	3 00	
27 pianos,	:	:	:	:	:	:	6,310 00	18 93	
3 stallions,	:	:	:	:	:	:	21 00	21 00	
4 free male negroes,	:	:	:	:	:	:		6 00	
8,669 slaves under 60 years old,	:	:	:	:	:	:		5,201 40	
856 white polls,	:	:	:	:	:	:		428 00	
								1,348,562 00	8,946 15 State tax on personal estate.
								13,870 55 Total State tax.	

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STATE COMMISSIONER'S REPORT.

To His Excellency, A. G. Brown, Governor of the State of Mississippi:

In obedience to the requisitions of the act appointing a State Commissioner, I have the honor to submit the following report for the information of the Legislature:

SINKING FUND.

Since my report of 1st of January, 1846, transmitted through you to the Legislature, I have paid into the Treasury of the State the sum of \$28,923 19, of which, \$18,641 05 was in bonds and coupons of the State of Mississippi, issued on account of the Planters' Bank, and \$10,282 14 in other funds. There is also the further sum of say \$4,370 00 in bonds and coupons collected, and which I had anticipated would have been received by me in time to have been paid into the Treasury by the date of this report. It will be paid in very soon, and may be regarded as so much additional collected on account of said fund.

The amount actually realized by the State, by the bonds paid in as above, is much greater than the amount as above stated, as the bonds being taken up before due, and some of them were not due until the years 1861 and 1866; of course the accruing interest ceased when received by me.

After the passage of the act of the Legislature of 1846, authorizing the receipt of bonds and coupons in payment of debts to the Sinking Fund, I was applied to in two instances, in cases where the executions were then out, by the parties, for a reasonable time to enable them to obtain the bonds, if possible to pay the debts, even although they would have to pay the amount on the executions in other funds. Deeming the request but reasonable, that the parties should have the benefit of the law just passed, and that it was the desire of the Legislature, that the debts to the State should be collected in a manner which would bear least onerously upon her citizens, and also that the fund itself having to be applied to the payment of the bonds, and that by taking up the bonds themselves, the interest on them as above stated, would cease, and

thereby inure to the benefit of the State. I, in two instances permitted the exchange, viz: in the case of a judgment against Thomas Pleasant, et. al. to the amount of over three thousand dollars, and in the case of a judgment against E. H. Watson, et. al. to the amount of between five and six hundred dollars. I received in part payment of a debt to the fund, a bond due July 1st, 1841, for \$1000. The party, Jeff. J. Hughes, making the payment, claimed interest on the bond from its maturity till paid. The Attorney General advised me, that I had no authority to receive any thing but *bonds and coupons*, and that I could not pay interest on the bond after the same was due, unless further authorized so to do by the Legislature; the claim was therefore disallowed by me. Under these circumstances, the party (Mr. Hughes) paid me the bond for the amount called for on its face, (\$1000) and coupons for another bond to the amount of \$330, being the amount of the interest on said bond from its maturity to the time of its receipt by me, with the agreement that I would hold the same in my hands until the action of the Legislature could be had thereon. Should the Legislature authorize the payment of interest on the bond, the coupons as above stated, will be returned by me to Mr. Hughes, and interest calculated on the bond from its maturity to the time of its payment to me, and so paid into the treasury, otherwise the whole amount, bond and coupons, will be paid into the treasury.

I have, under the provisions of the act of the Legislature of 1846, authorising compromises of debts due the fund, compromised four cases, viz:

By the release as to E. H. Watson, of a suit instituted against him and others, on a note for \$1000, on his paying \$500 in money and Auditor's warrants. For the residue of a judgment against Robert W. Roberts et. al. for between eleven and twelve hundred dollars, by taking a section of land therefor. For a note of Geo. W. Jelks et. al. for \$2000, on which suit was pending, by receiving therefor between eleven and twelve hundred acres of land; and on a judgment against Robert Bradley, et. al., for \$4,406 63, rendered in May, 1842, on which \$622 39 had been paid to the commissioners of the sinking fund, by receiving therefor \$4,580 in bonds and coupons. These compromises were all as directed by law, approved by the Governor and Attorney General.

I have purchased in behalf of the fund, since my last report to

the Legislature, from ten to twelve thousand acres of land. These lands were, as were the others, personally purchased by me, bought in under execution, in cases where nothing else could be had, and at nominal prices.

On the first Monday of October last, I, as directed by the act of 1846, authorising the commissioner of the sinking fund to offer the lands belonging to the sinking fund for sale, offered said lands for sale, after duly advertising the same, but was unable to sell on account of there being no bidders.

Being advised that Mr. H. D. Mandeville jr., the attorney for the late commissioners of the fund, held in his hands several thousand dollars, moneys belonging to the fund, I endeavored repeatedly to get a statement from him of the sums so held by him. He at length sent me an account of what he states as claimed by him for fees, in which said amounts so received by him, are credited on account of said fees. Many of the charges contained in said account I regarded as invalid and erroneous, and I so advised Mr. Mandeville, to which I have as yet received no reply. Mr. Mandeville's residence is not in this State, but in the State of Louisiana. He is, as I am advised, perfectly solvent.

TOWN LOT FUND—SEMINARY FUND.

As stated in my last report to the Legislature, proceedings had been instituted in the circuit court of Hinds county, against George Work, for the moneys held in his hands, collected by him as an attorney, on account of the Town Lot notes, sales of 1838, placed in his hands by A. B. Saunders, former Auditor of Public Accounts, for collection, and which he refused to pay over. After the passage of the act of the Legislature of 1846, entitled an act in relation to the Town Lot Fund and for other purposes, which said act authorizes the Treasurer of the State and Auditor of Public Accounts, by and with the advice and consent of the Governor of the State and Attorney General, to compound and settle with the debtors of the Town Lot Fund, &c., said Work endeavored to settle his accounts under said act with said Treasurer and Auditor, for moneys received and held by him as above stated. But altho' the terms of settlement, as exhibited to me by said Treasurer, as proposed by said Treasurer and Auditor, and which, the provisions of said act authorizing them to compromise and settle with the debtors to said Fund, and thereby giving them greater latitude and

powers than I possessed, were in my opinion exceedingly liberal, yet said Work refused to accede to the same and settle his accounts, and withdrew his papers from before them. They, therefore, were unable to effect any settlement with him, as I, as State Commissioner, had previously been unable to do.

After said ineffectual attempt at a settlement, said Work filed a bill in Chancery against the State. In said bill, said Work claims as due him as fees, on account of the Seminary Fund, the sum of \$7000, viz: \$3000 for arguing a case in the High Court, Lydia Parmelee, administratrix, vs A. G. McNutt, Governor, &c., on a note for between six and seven hundred dollars, being one of the notes belonging to the Seminary Fund, placed in his hands by A. B. Saunders, Auditor, for collection. In the court below, judgment was rendered for plaintiff for the full amount of the note, principal and interest. The defendant moved for a new trial, and offered a deposition to prove that she had advertised for creditors to present their claims within the eighteen months prescribed by law, with a view to set up a bar under the statute. The testimony was rejected by the court, and motion for a new trial overruled. The defendant of course, took an appeal to the High Court of Errors and Appeals. The judgment of the lower court was affirmed by said High Court. Said Work filed a brief in said case, and for said service, claimed a fee as above stated of \$3000. It may probably be right to add that in said bill, said Work alleges as a reason for said exorbitant fee, that in his opinion the collection of said Fund was endangered by the defence set up. To this, the Attorney General in his answer to said bill remarks, that he "admits that the defendant set up, as a pretended defence, that the note was barred by the statute of limitations, but the circuit court informed the defendant that the statute of limitations did not run against debts due the State—admits that an appeal was taken, that said Work filed a brief in said cause in the High Court, and that the judgment below was affirmed by said court, but denies that the collection of said notes was at all endangered by the defence set up by said Parmelee. The law gave Parmelee the right of appeal, and if Parmelee chose to frighten the over-sensitive mind of complainant by pleading the statute of limitations in a case where the statute did not apply, it was no fault of the State, &c." He also claims the further sum of \$4000

for, as he alledges, fees due him on account of said Seminary Fund. The bill recites various cases of amounts due on judgments and decrees, under which sales of Seminary Lands were had, and prays that an injunction be granted, restraining me, as State Commissioner, from paying any amounts collected thereon, and Wm. Clark, State Treasurer, from receiving the same into the Treasury, to the amount as above stated of \$7000. In said bill said Work also alledges that Auditor Saunders intended to have altered the conditions of the receipts given by him for the Town Lot notes sales of 1838, placed in his hands, as before stated by said Saunders, Auditor, (and on which, as above stated, he now holds in his hands money collected by him as an attorney, refusing to pay over the same) and to have given him said notes exempt from said conditions—the conditions of which, said receipts (or two of them) obligated him to collect said notes at five per cent on the amount collected.

¶ He further alledges, that “as he verily believes, he has not received a fair or just compensation” for his services as the agent of the State, in making sale of the lots in Jackson in the year 1838. The answer to said bill by the Attorney General as above stated, charges, that for said service, said Work submitted his account to the Legislature of the State, and that said Legislature made an appropriation of \$700, or thereabouts, in full payment for said services, which amount was received by said Work.

He also claims, that his salary for more than \$1500 as Commissioner of Public Buildings, remains due and unpaid, he having been elected by the Legislature to said office, in 1840, for the term or tenure of two years, from which said office, as he states, “the Legislature of 1841 attempted to repeal him out of office before one year of his term had expired,” which act he considers “unconstitutional and void,” and that “his salary (as above) has been refused him and is still unpaid, on account of said unconstitutional repealing act,” and states that “as he conceives such power has been denied and refused in numerous other cases, he objects to being made an isolated victim to such a doctrine, and feels it his duty as a citizen of the State, to test the validity of the act of 1841.”

On this bill as above, an injunction was granted restraining me as before stated, from paying into the Treasury, and Treasurer from receiving moneys to the amount of \$7,000 00, on account of

cases recited in said bill, the property of the Seminary Fund. I have collected, and now hold in my hands, the sum of \$6,632 38, on account of the Seminary Fund, being restrained by said injunction, from paying the same into the Treasury of the State. The Seminary Fund loses the interest on said amount; said Fund being entitled to 8 per cent. interest on all amounts paid into the Treasury on account of said fund. The Attorney General, in behalf of the State, filed an answer to the bill, praying a dissolution of said injunction; but while the same was pending, he, in July last, obtained an order from the Chancellor referring said cause to Jacob F. Foute, Esq., Master Commissioner, to take an account of the matters in said bill, with regard to the Seminary and Town Lot Funds. The book of sales of Town Lots for 1838, and George Work's three receipts for the Town Lot notes, (said sales,) have been since July last, and still are in the hands of the Master Commissioner, who has not as yet rendered an account, nor do I know when the same will be rendered. I was unwilling to said course as above being taken, as I was of the opinion that said injunction must have been dissolved, and the money, thus have been enabled to have been paid into the Treasury, and desired that such course should have been adopted; and thus more particularly, as the late commissioner of the Seminary Fund, (Col. McAfee) had advised me by letter, that he had paid to said work all his legitimate fees—his extra charges he stated he refused to allow. The injunction as above stated, restrains me from paying the money held by me, as above, into the Treasury of the State. Should the Legislature deem it advisable to order and direct the same to be paid to any one, they may designate, and to whom I can make payment of the same, without being held liable for the same on my bond, as State Commissioner, I will do so.

Beside the aforementioned sum restrained by injunction, I have paid into the Treasury, on account of the Seminary Fund, the sum of \$2,010 31½. I regard the further sum of \$25,000 of said Fund as secure, being cases principally, which are impending either in the Chancery or High Court, and which are good.

There is an execution on bond, now in sheriff's hands, for the sum of \$1,714 00, on account of the sales of 1833, which I regard as

The same is also on account of sales of 1833, for the sum

of \$1,222 82, obtained by the Attorney General, the report of Commissioner in which case, was omitted to be confirmed at late term of the Chancery Court, but will be at the present term of said court, which is perfectly good.

There are also bills impending in said court, filed by the Attorney General to subject to sale lots—sales of 1833—on notes given for purchase money of said lots, to the amount of over \$5,000 00, from which there will be realized, when decrees are rendered, from seven to ten thousand dollars.

There was realized from the sale of lots, as reported to me, made by the Auditor and Treasurer in April, 1847, made under the act of the Legislature of 1846, entitled “an act in relation to the Town Lot Fund, and for other purposes,” the sum of \$2,183 00.

The suit in the Circuit Court of Hinds county, against D. Shelton, as stated in my last report, is yet undecided. Also the proceedings, as stated in said report, instituted against Robert Hughes, are yet impending. Judge Coalter, having decided, that I, as State Commissioner, had no right to sue; said case awaits the decision of that question by the High Court, in other cases carried up from said Circuit Court of Hinds county.

All of which is respectfully submitted.

JAMES R. YOUNG, State Com’r.

RECAPITULATION—SINKING FUND.

Paid in in Bonds and Coupons,	\$18,641 05
Collected in ditto, and held as stated in report,	1,330 00
Collected in ditto, as stated in report, but not yet received by me, say,	4,370 00
Paid in in other funds, (specie and Auditor’s warrants,)	10,282 14
Total,	\$34,623 19

STATE OF MISSISSIPPI,
ADJUTANT GENERAL'S OFFICE, Dec. 27th, 1847. }

A. G. Brown, Commander-in-chief:

SIR—In conformity with law and your requisition of the 10th inst., I have the honor herewith to lay before you the number and rank of the commanding officers in the militia of this State, together with the vacancies yet remaining in the same. Annexed you find a table exhibiting the number and rank of all officers now in commission. A great number of the best officers however, are acting under brevet appointments, and whose names therefore, are necessarily excluded from the annexed table.

The staff of the Commander-in-chief is fully officered.

The five divisions are officered, with the exception of the staff of the major-general of the 3d division—only one aidecamp is known to that division.

The eleven brigades are officered, with the exception of the 1st brigade of the 5th division.

The 1st regiment is fully officered; the 2d regiment has a colonel, lieut. colonel and major; beat company A, is fully officered; beat company B, has one ensign; company D is fully officered; company E has a captain; company F is fully officered; company G is fully officered. The 3d regiment has a colonel, lieut. colonel and major; beat company A has no officers; beat company B has no officers; beat company C is fully officered. The 4th regiment has a colonel and lieut. colonel; company A is fully officered; company B is fully officered; companies C and D have no officers; companies E and F are fully officered. The 5th regiment has a colonel and lieut. colonel; beat company B has a captain and lieutenants; beat company C has a captain and lieutenants; company D has a captain and lieutenants; company E has a captain, 1st lieutenant and 2d lieutenant; company F has a captain, 1st lieutenant and 2d lieutenant; company G has a captain, 1st lieutenant and 2d lieutenant; company H has a captain, 1st lieutenant and 2d lieutenant. The 6th regiment has a colonel, lieut. colonel and major; beat company A, of said regiment, has a captain and an ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a lieutenant and an ensign; beat company E has a captain, lieutenant and an ensign; beat company F has a captain,

Lieutenant and an ensign; beat company G has a lieutenant; beat company H has a captain and an ensign. The 7th regiment has a colonel and lieut. colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; company D has no officers; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign. The 8th regiment has a colonel, lieut. colonel and major; beat company A, of said regiment, has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain and ensign; company E has no officer; company F has a captain, lieutenant and ensign.

The 9th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain only; beat company D has a lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain and a lieutenant.

The 10th regiment has a colonel, lieut. colonel and major; beat company A has no officers; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenants and ensign; beat company E has a lieutenant.

The 11th regiment has a colonel, lieut. colonel and major; beat company A is not officered; beat company B has a lieutenant and ensign; beat company C has a captain and lieutenant; beat company D has a captain, lieutenant and ensign.

The 12th regiment has a colonel and major; beat company A is not officered; beat company B not officered; beat company C has an ensign; beat company D has no officer; beat company E has a lieutenant and ensign.

The 13th regiment has a colonel only—no companies yet organized.

The 14th regiment has a colonel only—no companies yet organized in said regiment.

The 15th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign.

The 16th regiment has a major; beat company A has a captain and a lieutenant; beat companies B and C are not officered; beat company D has a lieutenant.

The 17th regiment has a lieutenant colonel; beat company A has a lieutenant; beat company B not officered; beat company C has a captain and a lieutenant; beat company D has a captain and a lieutenant; beat company E has a captain; beat company F has a lieutenant; beat company G has a captain, lieutenant and ensign.

The 18th regiment has a colonel and a major; beat company A has a captain, lieutenant and ensign; beat company B not officered; beat company C has a captain, lieutenant and ensign; beat companies D, E, F, G, not officered; beat company H has a captain and an ensign; beat company I not officered; beat company K has a lieutenant and ensign.

The 19th regiment has a lieutenant colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company I has a captain, lieutenant and ensign; beat company K has a captain, lieutenant and ensign.

The 20th regiment has a colonel and major; beat company A has a lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a lieutenant and ensign.

The 21st regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has an ensign; beat company C not officered; beat company D has a captain, lieutenant and ensign; beat company E has a captain and lieutenant; beat company F has a captain, lieutenant and ensign; beat company G has a captain; beat company H has a captain, lieutenant and ensign; beat company I has a lieutenant and ensign.

The 22d regiment has a major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, 1st lieutenant and 2d lieutenant; beat company D has a captain; beat company E has a lieutenant and ensign,

The 23d regiment has a colonel and lieutenant colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain.

The 24th regiment has a colonel, lieutenant and ensign; no beat companies have been organized in said regiment.

The 25th regiment has a colonel; lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has no officers; beat company H has a captain, lieutenant and ensign; beat company I has a captain, lieutenant and ensign.

The 26th regiment has a colonel and lieut. colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain; beat company C has a captain; beat company D has a captain and lieutenant; beat company E has a captain, lieutenant and ensign.

The 27th regiment has a colonel; beat companies A and B have no officers; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has no officers; beat company F has a lieutenant; beat company G has a captain and lieutenant; beat company H has a captain, lieutenant and ensign.

The 28th regiment has a colonel and a major; beat company A has a captain; beat company B has a captain; beat company C has a captain and lieutenant; beat company D has a captain; beat company E has no officers; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain, lieutenant and ensign; beat company I has no officers; beat company K has a captain, lieutenant and ensign.

The 29th regiment has a colonel; beat company A has no officers; beat company B has a captain; beat company C has no officers; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has no officers; beat company G has a captain, lieutenant and

ensign; beat company H has no officers; beat company I has a captain; beat company K has a captain.

The 30th regiment has a colonel and major; beat company A has a lieutenant and ensign; beat company B has a captain and lieutenant; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain, lieutenant and ensign.

The 31st regiment has a colonel and a major; beat company A has a captain, lieutenant and ensign; beat company B has no officers; beat company C has a captain; beat company D has a captain, lieutenant and ensign; beat company E has a captain; beat company F has a lieutenant and ensign.

The 32d regiment has a colonel, lieutenant colonel and a major; beat company A has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has no officers; beat company E has a captain, lieutenant and ensign; beat company F has a captain and lieutenant; beat company G has a captain, lieutenant and ensign.

The 33d regiment has a colonel, lieutenant colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign.

The 34th regiment has a colonel and lieutenant; beat company A has a captain, lieutenant and ensign, beat company B has a captain and ensign; beat company C has a lieutenant; beat company D has a captain, lieutenant and ensign; beat company E has a lieutenant and ensign; beat company F has no officers; beat company G has a captain and ensign; beat company H has a captain, lieutenant and ensign.

The 35th regiment has a lieutenant colonel; beat companies A and B have no officers; beat company C has a captain; beat company D has a captain; beat company E has a captain.

The 36th regiment has a colonel, lieutenant colonel and major; beat

company A has a captain; beat company B has a lieutenant; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign.

The 37th regiment has a colonel and a major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain; beat companies E and F have no officers; beat company G has a lieutenant; beat company H has no officers; beat company I has a captain, lieutenant and ensign.

The 38th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain; beat company C has a captain, lieutenant and ensign; beat company D has a captain; beat company E has a captain, lieutenant and ensign.

The 39th regiment has a colonel, lieutenant colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain and ensign; beat company D has a captain and lieutenant; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign.

The 40th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company E has a captain and lieutenant.

The 41st regiment has a colonel and lieut. colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain; beat company C has a captain, lieutenant and ensign; beat company D has a captain; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign.

The 42d regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and en-

sign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign.

The 43d regiment has a colonel, lieut. colonel and major; beat company A has a captain and lieutenant; beat company B has no officer; beat company C has a captain and ensign; beat company D has an ensign; beat company E has no officer; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain, lieutenant and ensign.

The 44th regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain and lieutenant; beat company F has a captain, lieutenant and ensign.

The 45th regiment has a colonel, lieut. colonel and major; beat company A has no officer; beat company B has a captain and lieutenant; beat company C has a captain, lieutenant and ensign; beat company D has no officer; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign.

The 46th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat companies C, D, E, F, G, H and I, each have a captain, lieutenant and ensign.

The 47th regiment has a colonel and a major; beat company A has a captain and lieutenant; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G and H each have a captain, lieutenant and ensign.

The 48th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has no officer; beat company C has a captain and lieutenant; beat company D has no officer; beat company E has a captain; beat company F has no officer; beat company G has a lieutenant and ensign; beat company A has a lieutenant and ensign; beat com-

pany I has no officer; beat company K has a lieutenant and ensign.

The 49th regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain; beat company D has a captain, lieutenant and ensign; beat company E has a captain; beat company F has no officer; beat company G has no officer.

The 50th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain and lieutenant; beat company C has a captain and lieutenant; beat company E has a captain, lieutenant and ensign; beat company F has a lieutenant; beat company H has a captain.

The 51st regiment has a colonel, lieut. colonel and major; beat companies A and B have no officers; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain; beat company G has a captain, lieutenant and ensign.

The 52d regiment is not organized.

The 53d regiment has a colonel, lieut. colonel and major.

The 54th regiment has a colonel and major; beat company A has no officer; beat company B has no officer; beat company C has a captain and lieutenant; beat company D has a captain.

The 55th regiment has a colonel, lieut. colonel and major; beat company A has a captain and lieutenant; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat companies D and E have no officers; beat company F has a captain and lieutenant; beat company G has a captain, lieutenant and ensign; beat company H has a captain and lieutenant; beat company I has a captain, lieutenant and ensign.

The 56th regiment has a colonel, lieut. colonel and major.

The 57th regiment has a colonel and lieut. colonel.

The 58th regiment has a colonel, lieut. colonel and major; beat company H has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company I has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and

ensign; beat company L has a captain, lieutenant and ensign; beat company B has a lieutenant and ensign; beat company C has a captain and lieutenant.

The 59th regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain and lieutenant; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has no officer; beat company G has a captain and lieutenant; beat company H has a captain, lieutenant and ensign.

The 60th regiment has a colonel, lieut. colonel and major; beat company A has no officer; beat company B has a captain, lieutenant and ensign; beat company C has a lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain; beat companies F and G have no officer; beat company H has a captain and lieutenant.

The 61st regiment has a colonel, lieut. colonel and major.

The 62d regiment has a colonel and major; beat company A has a captain and lieutenant; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has no officer.

The 63d regiment has a colonel; beat company A has no officer; beat company B has a lieutenant; beat companies C, D, E, F and G, have no officers; beat company H has a lieutenant and ensign.

The 64th regiment has a colonel, lieut. colonel and major; beat company A has no officers; beat company B has a captain, lieutenant and ensign; beat company C has no officers; beat company D has a captain; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a lieutenant; beat company H has a captain and lieutenant.

The 69th regiment has a colonel.

The new counties of Issaquena and Sunflower, have no organization, nor was there any authority for such, at the time of their creation.

All of which is respectfully submitted.

I have the honor to be, very respectfully,

Your obedient servant,

H. L. FRENCH, Adj't Gen.

Executive correspondence with the Secretary of War &c., asking the privilege for Volunteers 1st Mississippi Regiment to retain the arms borne in battle, &c.

EXECUTIVE CHAMBER,
Jackson, Miss., 20th April, 1847. }

Hon. W. L. Marcy, Secretary of War :

SIR—A number of the volunteers in the first regiment from this State have expressed a very natural anxiety to be allowed to retain the arms they have borne in Mexico. The attachment which a soldier feels for his gun, may easily be imagined. The Mississippians of the first regiment will return home, in the course of a few weeks. The reluctance which many of them have expressed, and all of them feel, to *give up their guns*, induce me to request an order that they be allowed to retain them. If this request cannot be granted, I then request that the arms in the hands of the volunteers belonging to the first Mississippi regiment, may be issued to this State as a part of the quota due her—in which event the State will present them to the volunteers. The regiment will feel gratified, as well as the citizens of Mississippi generally, if a piece of ordnance taken at Monterey were presented to the volunteers on their return home, as a trophy of that victory in which the regiment from our State assisted in achieving.

Very respectfully, your obedient servant,

A. G. BROWN.

ORDNANCE OFFICE,
Washington, 5th May, 1847. }

Hon. W. L. Marcy, Secretary of War :

SIR—In relation to the letter of the Governor of Mississippi, referred to this office, asking that certain volunteers from that State be allowed to retain the arms which they have so efficiently used in Mexico, I have the honor to report as follows: With every disposition to gratify the rational desire of the soldier, to retain in his possession the weapon with which he has so successfully fought and gained imperishable renown, there is no power in this department to thus dispose of public property. One thousand percussion rifles were issued to the regiment commanded by Col. Jefferson Davis. How many have been lost or destroyed in service, is not known. The alternative proposed by Governor Brown, that these

arms be issued to the State of Mississippi, under the law of 1808, as a part of her quota, may be adopted provisionally, and the whole number stand charged to that State until the losses are ascertained, or until legislation shall be had in the case. The number of muskets usually apportioned to the State, is about three hundred and fifty, so that it would absorb the allotment for three years, were the whole number issued to remain charged to the State. The letter of Gov. Brown is herewith returned.

I am, sir, respectfully, your obedient servant,

G. TALCOTT, Lt. Col. Ordn.

WAR DEPARTMENT, }
May 11th, 1847. }

SIR—I have the honor to acknowledge the receipt of your letter of the 25th ultimo, representing the anxiety felt by a number of the volunteers in the first regiment from your State, to retain the arms they have borne in Mexico, and requesting that an order might be issued to that effect. In answer, I regret to state, that the department has no power to dispose of the public property confided to its charge, in the way here proposed. But with a view to gratify the natural desire of the volunteers, as far as may be consistently done, the department takes pleasure in adopting the suggestion of your Excellency, and has accordingly directed that the arms in the hands of the volunteers belonging to the first Mississippi regiment, be issued to the State as a part of her quota under the act of 1808, agreeably to the report of the Chief of the Ordnance Department herewith inclosed.

It would give me sincere pleasure to comply with your request in relation to presenting to the gallant Mississippi volunteers, a portion of the trophies won at Monterey, but I regret that I have not the right to dispose of them even to those by whose valor they were acquired. The right to dispose of them is in Congress, and I cannot doubt they will readily and cheerfully gratify the wishes of your brave fellow-citizens as soon as it shall be made known to them.

I have the honor to be,

Very respectfully, your obedient serv't,

W. L. MARCY, Sec'y of War.

His Excellency A. G. BROWN,

Governor of Mississippi, Jackson Miss.

EXECUTIVE CHAMBER, }
Jackson, Miss., 17th May, 1847. }

Col. Jeff. Davis, Com. 1st Miss Rifles.

SIR :—I have the honor to enclose you a copy of a letter written by me, to the Secretary of War, requesting that officers and men in your regiment be allowed to retain their arms on returning from the service, or that said arms be issued to Mississippi as a part of her *quota* from the general government. The Secretary has not yet replied to the letter, but it is not doubted by me, that he will at least yield to the last request. Expecting to be absent from home for some weeks, I have instructed the Secretary of State to forward Gov. Marcy's answer to you when it is received. Should either of my requests be complied with, you will allow the men under your command to retain their arms when you disband them. If they are issued to the State, I cannot render a more acceptable service to the people, for whom your ever glorious regiment has won such imperishable honor, than to say, in their name "there shall be no divorce between the gallant soldier and his gun."

Very respectfully, your ob't. serv't;

A. G. BROWN.

EXECUTIVE CHAMBER, }
Jackson, Miss., 29th July, 1847. }

Col. Jeff. Davis.

SIR:—I am informed by the Secretary of War, that your First Mississippi Regiment had issued to them one thousand stand of arms, and that our State stands charged with that number, subject to a deduction of so many as were not actually on hand at the time the regiment was mustered out of service. You will recollect that it was at my instance the arms were left in the hands of the volunteers. It is therefore desirable to me, that the account should be adjusted before I go out of office. Will you inform me therefore how many rank and file you had mustered out at New Orleans, how many stand of arms were retained, *if you know*, and whether any more guns were retained than there were privates mustered out of the service. I have addressed a note to each one of the Captains, asking them to state their accounts, but a letter from you will greatly aid me in the settlement.

Very respectfully your ob't serv't.

A. G. BROWN.

BRIARFIELD, NEAR WARRENTON, }
 August 7th 1847. }

Gov. A. G. Brown.

SIR:—I have, from causes, which I will briefly explain, failed to make the report due to you, of the rifles retained by the First Mississippi Regiment of Volunteers. Your correspondence with the Secretary of War did not reach me until after our arrival in New Orleans. The regiment was in process of being disbanded, and the men in no regular quarters. I could not, as when we were embodied, get reports from the companies, and regret to say, that I have at this date, received but one, showing the number of rifles retained. I hope some others, if not all, may have been sent to the Adjutant at Vicksburg, to whom I will write this day, and point to such information as the regimental books contain, and request him to extract and send it to you in advance of a full report, which I hope to make you at an early day upon all subjects of importance, connected with the regiment you organised and gave to the service of the United States.

Your just appreciation of the attachment of the soldier to his gun, your sympathy and efficient attention to this feeling in our regiment, entitles you to the thanks of our friends, as it has eminently received our own. Had the correspondence reached me at the Brazos, it would have been in my power to have turned over to the State two hundred rifles which had remained in my charge, (eight hundred being as many as here required for the regiment,) they were returned to the government through an ordnance officer at Point Isabel. The number retained in the hands of our men does not equal the number of men mustered out of service, some having been lost on the voyage back and some on the field of our last battle. Men wounded, lost their rifles which were not subsequently replaced. Some of the *officers* kept rifles, but those I suppose have been paid for.

The plan I proposed of accountability, was to furnish to the State Executive a return of the number of rifles retained, with a roll of the men responsible for them, hoping that they would be donated to those individuals by the legislature of our State. Capt. Cooper reports "retained by order of Gov. Brown for the State of Mississippi, *thirty-nine rifles*." This is greatly above the average number. I think the total will be about 310 retained. The re-

turns of the Captains and my own to the United States Ordnance Department, will, I hope, long before the close of your Executive term, adjust the charge against our State, on account of these rifles.

Very respectfully your ob't serv't.

JEFFERSON DAVIS.

EXECUTIVE CHAMBER, }
Jackson, Miss. July 30, 1847. }

SIR: With the view to a speedy and satisfactory settlement with the Ordnance office at Washington City, on account of the arms retained by the 1st Mississippi regiment, I have to request that you will, with as little delay as possible, make out an official statement of the number of arms received by you when you entered the service—what number remained in possession of your men when they were mustered out, and what disposition was made of those not retained.

My reason for asking your early attention to this matter is, that I am notified by the Secretary of War, that one thousand rifles were issued to the 1st Regiment, and that our State has been charged with that number subject to deductions for all not actually in possession of the volunteers when mustered out; and as it was at my request the arms were left in the hands of the volunteers, I am extremely desirous of adjusting the account with the department at Washington before the expiration of my official term, now drawing to its close.

You will greatly oblige me by making duplicate accounts, one of which enclose to "G. Talcott, Ordnance Department, Washington City," and the other to myself.

Very respectfully, your obedient servant,

A. G. BROWN.

Copy sent to Captains Cooper, Downing, McManus, Willis, Crump, Rogers, Howard, Taylor, Delay and Sharpe.

EXECUTIVE CHAMBER, }
Jackson, Miss., Oct. 14, 1847. }

SIR: On the 30th day of July last I addressed you a letter on the subject of the arms issued to your company as a part 1st Mis-

to and by the report of the Secretary of War, and
the report of the Committee on the subject of the
arms which were issued to the army, and I am (as) much in the
very unpleasant attitude of having a very heavy charge made
against the State for arms never received, from which I can only
extricate myself by the reports of yourself and other officers,
showing as above requested, the number of arms issued, the num-
ber retained, and the disposition made of the residue. I beg,
therefore, that you will, without further delay, make the report, and
thus enable me to make the necessary settlement before I go out
of office.

I am very confident you will not suffer an act intended as kindness to the men under your command, to be turned into reproach against me, when by making a report such as I have asked you can so easily avoid.

Very respectfully, your obedient servant,

A. G. BROWN.

Copies sent to Captains Delay, Downing, McManus, Crump, and Taylor—others answered first letter.

EXECUTIVE CHAMBER, }
Jackson, Miss., Aug. 12, 1846. }

G. Talcott, Lieut. Colonel, Ordnance, Washington:

SIR: The quota of arms due Mississippi is about 440 muskets, as shewn by a letter of yours, addressed to me in the early part of 1845, in reply to one from me transmitting the strength of our militia. I observe in the late official report of the militia in the several states, that Mississippi is put down at about 36,000, under a report rendered by us in 1838, and you set down the quota of arms due this State in your letter of last spring, at about 350 muskets. Permit me to call your attention to the fact that I reported the strength of our militia early in 1845, at 45,000, or thereabouts.

MISSISSIPPI PENITENTIARY,

CLERK'S OFFICE, }
Dec'r. 12, 1846. }*To His Excellency, A. G. Brown,**Governor of the State of Mississippi:*

SIR—I transmit herewith the annual account current and reports of the Inspectors, superintendent, and Physician, of this institution, for the fiscal year ending November 30, 1846.

I have this day Deposited with the Auditor of Public Accounts, the general statements required by law to be filed in his office.

By direction of the board of Inspectors.

Very respectfully, your obedient servant,

D. N. BARROWS, Clerk.

INSPECTOR'S OFFICE, }
Dec'r. 13, 1847. }*To His Excellency, A. G. Brown,**Governor of the State of Missssissippi:*

SIR—In compliance with the 8th section of the Penitentiary law, approved February 24, 1844, we beg leave to make the following report of the condition of the Mississippi Penitentiary.

The prison has usually been kept cleanly; the cells are well white-washed, and present a neat appearance. The yard and workshops are cleanly, and seem to be well arranged for the various branches of business carried on in the institution.

Agreeably to an act of the legislature, approved 5th March, 1846, for changing convict labor, and other purposes, the superintendent has commenced a building 44 by 88 feet, three stories high (which is about one-third on the way) for the reception of machinery for manufacturing woollen and cotton goods. There has been built a very large cistern 20 by 26 feet, for supplying the engine with water; this embraces all the material permanent improvements about the prison.

For the number of prisoners confined in the Penitentiary, and their various employments, we refer you to the superintendent's report, marked A.

For the health of the prison, we refer to the physician's report, herewith transmitted and marked B.

The income and expenditures during the last year, and the dis-

inct profit and loss of each department will be seen on reference to the account current herewith annexed, marked C.

The cash receipts this year, have amounted to \$5,124 60-100 less than last year. The amount of manufactured articles now on hand, is \$6,163. The amount drawn from the State treasury, is \$12,706 27-100. The increase in stock and tools over last year, is \$5,727 95-100. Cash now on hand, \$3,542 29-100. The loss on sales of manufactured articles, (sold less than invoice price) is \$469 12-100. It will be seen by this statement, that the penitentiary has lost to the State during the year, \$884 53-100. The first and most important cause of the loss, is the fact, that the superintendent, (with the concurrence of the inspectors) has gradually endeavored to bring about a change of convict labor, agreeably to an act of the legislature, referred to before in this report. When that law was passed, it was almost universally believed, through the country, that we were prohibited from manufacturing or selling any kind of manufactured articles, except woollen and cotton goods; that, also, accounts for the large amount of stock now on hand. Another cause, (as will be seen by the reports of the superintendent and physician) is, that sickness prevailed to a great and even alarming extent at one time.

In compliance with the act of the legislature, there has been purchased and put into operation an engine and fixtures for propelling the machinery now erected in the prison; it is, also, of sufficient power to propel the additional machinery for manufacturing woollen and cotton goods.

Some short time subsequent to the adjournment of the legislature, the inspectors appointed an agent to visit the different manufacturing establishments at the North, for the purpose of gaining information relative to the most approved machinery. The agent diligently performed the task assigned him, and reported that he had visited all the most important factories. The inspectors (from the best information,) concluded that they could make the best purchase from Messrs. Rogers, Ketchum and Grosvenor, extensive manufacturers at Patterson, New Jersey; they therefore ordered the machinery, which will give employment to 20 or 25 hands. The board found it utterly impossible to comply strictly with the act of the last legislature. The machinery necessary to employ 80 hands, would cost \$30,000; the amount appropriated was but

\$4,000. The board, therefore, found it necessary, in order to make any shewing towards complying with the law, to appropriate from the sales of articles in the institution, about \$2,500. The least possible amount which has already been required to commence the purchase of machinery to carry out the design of the legislature, is \$6,292 50-100.

It will be proper to state here distinctly, that should the legislature subsequently make an appropriation for the extension of machinery, the engine and fixtures, the house now being erected, and a portion of the machinery, will be sufficient, (without additional expense,) for the employment of 80 hands.

We are satisfied, from experience and close observation, that it is very important for the safety of the prisoners, and as a matter of economy to the State, that some plan be adopted to make sale of the manufactured articles without the walls of the prison. It is not unfrequent to see 20 or 25 persons within the walls of the prison at one time, and a large majority of them visit from mere idle curiosity, and occupy the time of the officers and guards, and prevent them from attending to their duties; this is during all hours of the day; it also attracts the attention of the prisoners and causes them to gaze and idle away time.

The inspectors are not aware that they have the power under the law, to prohibit this practice; nor can it be done unless the manufactured articles are without the walls for sale. It is very frequent that persons ask permission to go into the prison under pretence of wishing to purchase something; get within the walls and stay for hours, without having the least design of making a purchase. We would recommend that some plan be adopted to dispose of the manufactured articles without the walls of the prison. We would also recommend, that visitors should not be admitted within the walls of the prison, except at certain hours, say from 9 to 12 A. M., and but a limited number each day; also, that they should obtain a written permit from some officer not connected with the institution.

We would further recommend a change in the mode of taking the inventory of stock on hand at the end of each fiscal year. We would suggest that three or more appraisers be appointed to value the stock on hand; it would be the means of having a fair valuation of the stock, and prevent the superintendent from valuing the

stock on hand at more than its real worth, in order to make a favorable shewing of what the penitentiary had made during the year. It is but just to state here, that this suggestion was made to the inspectors by the present superintendent.

The prisoners seem (with few exceptions) to be as well contented as could be expected; they are generally submissive to the officers and guards, and a large number of them respect, as well as fear, the superintendent; we feel confident that they will compare in appearance, with any prisoners in the United States; they are well clothed and furnished with good wholesome diet, well prepared.

The inspectors tender their sincere thanks, on behalf of the prisoners, to the different ministers of the Gospel in Jackson and its vicinity, who have voluntarily preached to them. We have reason to believe that it has a good influence on their morals.

Much credit is due to Miss D. L. Dix, who visited this prison last spring, for the interest manifested by her for suffering humanity, and more especially for the labor she has bestowed in collecting information for the best mode of treatment to convicts. We have read her work, styled "Remarks on Prisons and Prison Discipline in the United States," with great pleasure, and hope to be much profitted by the next edition. We tender her our thanks for the valuable little library which she furnished the prisoners with.

The officers and guards have discharged their various duties with fidelity and promptness, and have acquiesced with the board of inspectors in all matters which came before them. There has been, generally, harmony and good feeling prevailing during the last year, with all concerned.

All of which is respectfully submitted.

RICH'D. P. WINSLOW,
J. C. FORREST,
CHARLES SCOTT,

Inspectors.

The foregoing was prepared in my absence from Jackson, but I have read it carefully, and concur in the report. It is proper that I should state also, that I was absent during the past summer, and consequently was not present when the appropriation referred to in the report, was made for the purchasing of machinery; but I

am convinced that the appropriation was requisite, in order to effectuate the intention of the legislature, as contained in the act passed at its last session, entitled "an act to change the labor of the convicts, and for other purposes."

CHARLES SCOTT

[A]

SUPERINTENDENT'S OFFICE, }
December 7, 1846. }

To R. P. Winslow, Jas. C. Forrest, and Charles Scott, Esqrs.,
Inspectors of the Mississippi Penitentiary:

GENTLEMEN—I have the honor to submit to you my annual report, ending 30th day of November, 1846..

You will perceive that the institution this year, has lost to the State the sum of \$884 53-100.

By an examination of the books of the institution, you will perceive that we have had not more than seventy convicts during the spring, summer and fall months, and that by an examination of the physician's report and books, you will see that an average of 15 of that number have been sick during the year, and that for about four months, thirty were on the sick list, leaving, during the greater part of the year, only 54 hands capable of doing labor: the number of convicts has now run up to 89, within the last few weeks, and the whole number has generally been employed as follows:

In blacksmith shop,	7	In grinding corn,	3
“ wheelwright shop,	10	“ gardening,	2
“ shoemaker's, shop,	6	“ cooking and washing,	5
“ spinning and weaving,	6	“ sweeping and cleaning,	2
“ carding and cleaning wool,	3	“ old and infirm,	4
“ painting & carriage trim'g,	4	“ average sick,	15
“ brick y'd and laying brick,	22		58
	58	Total,	89

The whole number of convicts received into the prison since its commencement, is 196. The whole number in confinement on the 30th day of November, 1845, was 84. The whole number received since then to 30th November, 1846, is 37. Discharged of this number by expiration of sentence, 17, and discharged by pardon of the Governor, 8; four of which received their pardon on

the days before their service expired, on account of extraordinary good behavior whilst in prison. Seven died during the year, which leaves now in confinement, 89.

I had intended showing more in detail, why the prison sustained a loss this year, which, however, I am entirely unable to do owing to the feeble state of my health, believing, at the same time, that the statement had better come from you.

I subscribe myself your obedient servant,

BENJAMIN G. WEIR,
Superintendent.

[B]

COPY OF PHYSICIAN'S REPORT.

JACKSON, Dec. 7, 1846.

To the Inspectors of the Mississippi Penitentiary:

GENTLEMEN—The number of deaths in the prison this year, has exceeded that of any other since its establishment. About the first of May, the convicts were attacked almost simultaneously with dysentery of a very malignant character, which, in a few weeks, had extended over the whole prison, leaving scarcely an individual who was not more or less afflicted by it.

No abatement took place until the sick were removed to another building prepared for their reception, and a thorough cleansing of the cells and bedding had been made.

The number of deaths by dysentery were four; two have died of chronic diarrhœa, and one of pulmonary consumption. There have been but few cases of fever during the year, diarrhœa and dysentery having prevailed to the exclusion of almost every other disease.

The prison is at this time comparatively healthy, there being only a few chronic cases on the sick list.

Very respectfully, your obedient servant,

WM. S. LANGLEY.

STATEMENT, showing the number of convicts discharged by expiration of sentence, pardon and death, at the Mississippi Penitentiary, during the year ending November 30, 1846.

NOS.	NAMES	AGE.	CRIMES.	COUNTY WHERE CONDEMNED	DATE OF AD-MISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.	REMARKS.
41	James J Saunders	25	Grand larceny	Adams	Dec 28, 1841	Dec 11, 1845	Virginia	Pard'd Dec 10, '45
52	Benjamin Hagany	33	Larceny	"	Dec 20, 1843	Dec 16, 1845	Delaware	
4	Thomas Walton	40	Arson	Lowndes	April 18, 1844	April 9, 1851	N. Carolina	" Dec 23, '45
6	James Erickson	29	Larceny	Wilkinson	April 30, 1845	April 21, 1849	Denmark	Died Dec 27, '45
2	Royal Sparks	33	Manslaughter	Lowndes	April 18, 1844	April 9, 1848	Virginia	Pard'd Jan 10, '46
65	James Tindall	27	Perjury	Kemper	May 3, 1844	April 28, 1847	Georgia	" Jan 20, '46
59	Jimalias Tunnubee	22	Rape	Newton	June 10, 1845	June 10, 1860	Choctaw	" Feb 14, '46
72	George Condeia	17	Larceny	Hancock	April 11, 1844	April 3, 1846	Penn.	
32	Henry Maxey	39	Grand larceny	"	April 28, 1841	April 8, 1846	Ohio	
74	John Y Martin	18	" "	Tishemingo	April 21, 1844	April 10, 1846	Alabama	
63	Andrew J Carter	26	Larceny	"	May 2, 1843	April 13, 1846	Virginia	
64	William Owens	27	Grand larceny	"	May 2, 1843	April 18, 1846	"	Par'd April 13, '46
12	Chas. Covey f m c	23	" "	Lowndes	April 21, 1842	April 14, 1846	Georgia	
66	James Fannan	29	" "	Warren	May 12, 1843	May 4, 1846	England	
38	John Wintermot	40	Robbery	Adams	June 30, 1841	June 26, 1851	New York	Died May 6, '46
68	Napol'n B Ramsey	23	Larceny	Jasper	May 17, 1843	May 13, 1846	Maryland	
77	Jno S McLaughlin	23	"	Lafayette	June 7, 1844	May 27, 1846	New York	
29	John Folly	28	Bigamy	Adams	June 11, 1842	June 4, 1847	Ireland	" May 29, '46
10	Robert Strong	30	Negro stealing	"	June 17, 1845	Life	Mass.	" June 2, '46
79	James Scott	28	Larceny	"	June 11, 1844	June 6, 1846	Scotland	

70	Andrew C Snyder	26	Grand larceny	"	June 9, 1843	June 7, 1846	New York	
36	Wm W Wilson	22	Negro stealing	Pontotoc	May 16, 2841	May 20, 1851	Tennessee	" June 7, '46
80	Geo. W Edwards	26	Larceny	Warren	June 13, 1844	June 11, 1846	Ohio	
62	Wm. Winston	49	Manslaughter	Adams	June 17, 1845	June 12, 1847	Virginia	Par'd June 11, '46
39	John Taylor	42	Horsestealing	"	June 30, 1841	June 26, 1846	N. Carolina	
81	Weller Miller	37	Larceny	Hinds	July 5, 1844	July 15, 1846	Penn.	
69	David A C Hyatt	27	"	"	July 5, 1845	July 3, 1849	Ohio	Died July 27 '46
71	Mack Waters f m c	22	Grand larceny	Choctaw	Sept 28, 1843	Sep 25, 1846	Alabama	
27	Geo. W. Riddings	27	Negro stealing	Hinds	Oct 20, 1843	Oct 15, 1850	N. Carolina	" Sept 29, '46
24	William Wev	40	Larceny	Wilkinson	Nov 9, 1841	Oct 21, 1846	Tennessee	Pard'd Oct 20, '46
83	Carter Dalton	53	Rec'd stol'n goods	Lowndes	Oct 24, 1844	Oct 25, 1846	Virginia	
85	Griffin Jackson	20	Larceny	Monroe	Nov 15, 1844	Nov 15, 1846	Mississippi	

BENJAMIN G. WEIR, Superintendent.

Attest: D. N. BARROWS, Clerk.

STATEMENT Showing the number of Convicts in the Mississippi State Penitentiary, November 30th, 1846.

NOS.	NAMES.	AGE.	CRIMES.	COUNTY WHERE CONDEMNED.	DATE OF AD- MISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
1	John Frazier	20	Horse stealing	Hinds	Oct 31 1840	Oct 27 1850	North Carolina
2	Willis M Calcott	38	Manslaughter	Franklin	Sept 30 1846	Sept 28 1850	Mississippi
3	John Greeson	33	Robbery	Itawamba	April 15 1840	April 15 1850	Georgia
4	Dennis Vermillion	44	Grand larceny	Adams	Nov 19 1846	Nov 14 1851	D C
5	Daniel Knight	21	Negro stealing	Yazoo	Dec 2 1845	Nov 27 1855	South Carolina
6	Ephraim E Wilborn	26	Larceny	Monroe	May 8 1846	May 1 1851	Tennessee
7	Seaborn Sanford	29	Murder	Noxubee	April 26 1843	April 22 1853	Georgia
8	George Armstrong	40	Larceny	Harrison	April 22 1845	April 2 1850	Ireland
9	Stephen F Peak	26	Manslaughter	Marion	April 20 1844	April 11 1850	Mississippi
10	Newton A Gaylor	28	Larceny	Copiah	Nov 29 1846	Nov 28 1856	Tennessee
11	John Ferguson	36	Negro stealing	Holmes	Nov 8 1844	Nov 8 1854	Vermont
12	Joshua Hall	22	Larceny	Adams	June 2 1846	June 1 1851	Illinois
13	Benj S Reams	32	Grand larceny	"	Dec 20 1842	Dec 17 1846	Louisiana
14	James Cottenham	28	Assault to kill	Leake	Oct 8 1842	Oct 8 1848	Tennessee
15	John Ober	32	Burglary	Adams	June 17 1845	June 12 1851	Pennsylvania
16	William Brantly	23	Manslaughter	Warren	May 27 1845	May 7 1852	Alabama
17	Daniel Boyle	26	Larceny	Wilkinson	Oct 21 1843	Oct 6 1847	Ireland
18	Thomas C Brooks	55	Manslaughter	Itawamba	Nov 6 1844	Nov 6 1851	North Carolina
19	James Bradley	25	Assault to rape	Adams	June 2 1846	June 1 1851	Arkansas
20	Wm H Garrett	22	Negro stealing	Monroe	Nov 6 1843	Oct 27 1853	New York
21	George Tyler	18	" "	Hinds	Oct 10 1840	Oct 9 1850	Ohio

22	*Jas M Thomason	25	Forgery	Lowndes	Oct 23 1845	Oct 23 1850	Virginia
23	John B Wilson	26	Shooting to kill	Adams	Dec 28 1841	Dec 11 1851	Missouri
24	Joel Swinney	21	Grand larceny	Copiah	Nov 29 1846	Nov 28 1856	Alabama
25	William Smart	50	Rape	Harrison	Mar 13 1846	Mar 6 1856	Maine
26	Francis D Talcott	38	Negro stealing	Adams	June 9 1843	June 7 1855	Massachusetts
27	A Morris	35	Forgery	Lowndes	Oct 30 1846	Oct 30 1856	Virginia
28	Elijah Dick	43	Assaulting his wife	Monroe	May 15 1845	May 8 1852	South Carolina
29	William Mackin	22	Having count'ft money	Adams	June 2 1846	June 1 1854	Ireland
30	James A Hall	32	Assault to kill	Tippah	Oct 14 1845	Oct 2 1849	South Carolina
31	Lewis E Gayerre	34	Negro stealing	Noxubee	May 7 1845	April 25 1855	Louisiana
32	James F W Smith	42	Manslaughter	Panola	Nov 15 1846	Nov 6 1856	North Carolina
33	Isaac Tumey	31	Rape	Claiborne	June 24 1845	June 11 1865	Kentucky
34	G W Lipscomb	27	Manslaughter	Lafayette	Dec 6 1843	Nov 28 1858	Virginia
35	Hosea McDermit	19	Larceny	Monroe	May 15 1845	May 6 1850	Georgia
36	Robert Parker	28	Manslaughter	Tishemingo	Sept 30 1846	Sept 10 1861	South Carolina
37	Andrew J Archer	31	Grand Larceny	Warren	July 8 1844	June 22 1849	Virginia
38	James Moore	27	Robbery	Adams	June 2 1846	June 1 1861	"
39	George W Scaggs	30	Manslaughter	Itawamba	Sept 25 1846	Sept 19 1871	Alabama
40	James M Buttorff	31	Larceny	Adams	June 30 1843	June 7 1851	Indiana
41	James Runnels	30	Negro stealing	Bolivar	Mar 20 1846	Mar 17 1856	New York
42	Jacob Crawford	33	Having forged notes	Adams	Dec 28 1841	Dec 11 1847	Kentucky
43	Jesse Ford	18	Negro stealing	Madison	May 28 1842	May 22 1852	Mississippi
44	Mathias Elmore	30	Manslaughter	Jasper	Jan 9 1842	Jan 7 1849	South Carolina
45	William Reese	31	Negro stealing	Lowndes	Oct 25 1844	Oct 25 1854	England
46	John S Hopkins	27	" "	Jefferson	May 12 1842	May 7 1854	New York
47	Samuel Henry	18	Manslaughter	Madison	May 14 1842	May 13 1847	Alabama
48	Edward H Cassady	27	Grand larceny	Warren	May 18 1842	May 14 1847	Pennsylvania

STATEMENT, showing the number of Convicts in the Mississippi State Penitentiary, November, 30, 1846.

NOS.	NAMES.	AGE.	CRIMES.	COUNTY WHERE CON- DEMNED.	DATE OF AD- MISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
49	Andrew Buill	62	Burglary.	Adams	June 11 1844	June 6 1856	New York
50	Thomas Percell	29	Larceny	Warren	June 13 1844	June 12 1849	Ireland
51	John Harkley	106	Assault to kill	Adams	June 10 1843	June 7 1849	St. Domingo
52	John S Williams	19	Forgery	Hinds	April 24 1846	April 22 1848	Virginia
53	Robert Clements	22	Larceny	Greene	April 14 1845	April 14 1847	South Carolina
54	William Hill	29	"	Leake	Oct 11 1845	Oct 11 1847	Virginia
55	John Kooney	34	Assault to kill	Warren	Dec 12 1844	Nov 23 1847	Ireland
56	Fréderrick Rhodes	38	Grand larceny	Tishomingo	Oct 31 1842	Oct 12 1847	Austria
57	Abijah W Dunn	38	Manslaughter	Madison	March 12 1845	March 12 1847	Ohio
58	Peter West	43	Larceny	Marion	April 25 1845	April 17 1848	New York
59	Jas J White	42	Grand larceny	Leake	March 27 1846	March 25 1850	South Carolina
60	Daniel S McCoy	25	" "	Jackson	April 4 1843	March 29 1847	New York
61	Ernest Sims	20	Abetting to murder	Carroll	April 24 1845	April 24 1847	Mississippi
62	John Flake	25	Larceny	Tishomingo	Sept 30 1846	Sept 11 1848	Tennessee
63	Joseph H Johnson	29	"	Adams	June 2 1846	June 1 1850	Georgia
64	James Scott	42	"	"	" " "	June 1 1848	Pennsylvania
65	Charles Rhieter	38	Shooting to kill	Franklin	March 23 1846	March 19 1850	Hanover
66	Pendleton H Wells	21	Larceny	Adams	June 2 1846	June 1 1848	Mississippi
67	John F. Teague	17	"	Monroe	May 15 1845	May 1 1849	South Carolina
68	Eber Rowe	24	"	Adams	June 2 1846	June 1 1850	New York
69	William Huff	29	"	Claiborne	Oct 22 1846	Oct 17 1848	Pennsylvania

70	William McKnight	23	Forgery	Claiborne	Oct 22 1846	Oct 17 1848	Ohio
71	George Crenshaw	24	Larceny	Lowndes	Oct 30 1846	Oct 30 1848	Virginia
72	Benjamin Bridges	60	Attempt to steal a slave	Simpson	Nov 14 1846	Nov 15 1849	South Carolina
73	Wm W Gray	21	Forgery	Tippah	April 21 1844	April 1 1849	Alabama
74	*Chas Covey f m c	27	Larceny	Warren	Nov 17 1846	Nov 16 1848	Georgia
75	James Cook	32	Manslaughter	Coahoma	April 25 1845	April 18 1849	Indiana
76	Wm D Nixon	34	"	Itawamba	April 27 1844	April 20 1854	South Carolina
77	Robt F Dillingham	26	Larceny	Warren	Nov 9 1846	Nov 9 1848	Virginia
78	Benjamin Flagg	21	Burglary	Adams	June 11 1844	June 6 1847	Scotland
79	John Holt	22	Manslaughter	Warren	Nov 9 1846	Oct 24 1848	Indian Nation
80	Daniel W Daniels	42	Perjury	Copiah	Nov 29 1836	Nov 28 1856	New York
81	John Davis	45	Grand larceny	Carroll	Nov 26 1846	Nov 21 1848	Georgia
82	John A Gardner	20	Larceny	Jasper	May 20 1845	May 27 1847	Massachusetts
83	Samuel P Howell	22	Forgery	Panola	Nov 29 1846	Nov 6 1851	Georgia
84	James Adams	55	Attempt to rape	Pike	Oct 31 1844	Oct 31 1849	Illinois
85	Hillery J Lanier	48	Larceny	Copiah	Nov 29 1846	Nov 28 1848	Louisiana
86	John Smith	20	Horse stealing	Lowndes	Oct 23 1845	Oct 23 1848	Tennessee
87	Chas W Dodson	23	Larceny	Carroll	Oct 24 1845	Oct 16 1847	England
88	James T Childress	25	Larceny and forgery	De Soto	Nov 26 1846	Nov 13 1852	Alabama
89	Pleasant Nichols	29	"	"	" " "	" " "	Tennessee

*Committed to this prison for the second time.

Attest: D. N. BARROWS, Clerk.

BENJ. J. WEIR Superintendent.

General statement of the Convicts in the Mississippi State Penitentiary, November 30, 1846.

Whole number received since first admission, April 15, 1840,	196
“ “ in confinement, December 1, 1845,	84
“ “ since received up to November 30, 1846	37
Discharged of this number by expiration of sentence,	17
“ “ “ “ “ Executive pardon,	8
Deaths,	7
Remaining in confinement November 30, 1846.	89

FROM WHAT COUNTIES RECEIVED.

Hinds,	3	Claiborne,	4
Franklin,	2	Lafayette,	1
Itawamba,	4	Tishomingo,	2
Adams,	19	Bolivar,	1
Monroe,	5	Madison,	3
Noxubee,	2	Jasper,	2
Harrison,	2	Jefferson,	1
Marion,	2	Greene,	1
Copiah,	4	Jackson,	1
Holmes,	1	Carroll,	3
Leake,	3	Simpson,	1
Warren,	8	Coahoma,	1
Wilkinson	1	Pike,	1
Lowndes,	5	Desoto,	2
Tippah,	2		
Panola,	2	Total,	89

TERMS OF SENTENCE.

For 25 years,	1	For 6 years,	6
“ 20 “	1	“ 5 “	17
“ 15 “	3	“ 4 “	10
“ 12 “	3	“ 3 “	5
“ 10 “	19	“ 2 “	18
“ 8 “	2		
“ 7 “	4	Total,	89

AGE—WHEN COMMITTED.

From 17 to 20 years,	9	From 50 to 60 years,	3
“ 20 to 30 “	42	“ 60 to 70 “	2
“ 30 to 40 “	28	“ 70 to 106 “	1
“ 40 to 50 “	9		
		Total	89

General statement of the Convicts in the Mississippi State Penitentiary, November 30, 1846.

CRIMES.

Horse stealing, - - -	2	Forgery, - - -	6
Manslaughter, - - -	14	Rape, - - -	2
Robbery, - - -	2	Assault to kill his wife, -	1
Grand larceny, - - -	12	Hav'g count'ft money in poss'n	1
Negro stealing, - - -	10	Having forged notes, -	1
Petty larceny, - - -	21	Abetting to murder, -	1
Murder, (sentence commuted)	1	Attempt to steal a slave, -	1
Assault to kill, - - -	6	Perjury, - - -	1
Burglary, - - -	3	Larceny and forgery, -	2
Assault to commit rape, -	2		—
		Total, - - -	89

PLACE OF NATIVITY.

North Carolina, - - -	3	New York, - - -	3
Mississippi, - - -	5	Ohio, - - -	3
Georgia, - - -	7	Virginia, - - -	9
District of Columbia, -	1	Missouri, - - -	1
South Carolina, - - -	10	Maine, - - -	1
Tennessee, - - -	6	Massachusetts, - - -	2
Ireland, - - -	5	Kentucky, - - -	2
Vermont, - - -	1	Indiana, - - -	2
Illinois, - - -	2	England, - - -	2
Louisiana, - - -	3	St. Domingo, - - -	1
Pennsylvania, - - -	4	Austria, - - -	1
Alabama, - - -	6	Hanover, - - -	1
Arkansas, - - -	1	Scotland, - - -	1
Choctaw Indian nation, -	1		—
		Total, - - -	89

OCCUPATIONS—WHEN COMMITTED.

School master, - - -	1	Leather currier, - - -	1
House carpenter, - - -	3	Ship carpenter, - - -	1
Saddler, - - -	1	Painter, - - -	1
Carriage maker, - - -	1	Sailor, - - -	1
Blacksmiths, - - -	6	Stone mason, - - -	1
Harness maker, - - -	1	Spinner, - - -	1
Wheelwrights, - - -	2	Cabinet maker, - - -	1
Physicians, - - -	2	Without trades or professions,	60
Tailors, - - -	2		—
Shoemakers, - - -	3	Total, - - -	89

BENJAMIN G. WEIR, Superintendent.

Attest, D. N. BARROWS, Clerk.

Statement, [C] showing the operations and condition of the Mississippi State Penitentiary, from the 1st December, 1845, to the 30th November, 1846.

MANUFACTURED ARTICLES,

1845.		DR.
Dec. 1	To stock on hand this day, - -	\$5909 60
	" amount charged this account since,	6263 43
		12,173 03
1846.		CR.
Nov. 30	By amount sold for cash,* - -	\$5540 91
	" " stock on hand, - -	6163 00
	" balance being lost by this account, -	469 12
		12,173 03

BLACKSMITH SHOP.

1845.		DR.
Dec. 1	To stock and tools on hand, - -	\$1143 22
	" " " since purchased, - -	2119 88
	" balance gained by this account -	2182 45
		5445 55
1846.		CR.
Nov. 30	By amount received and charged to date,	\$3670 18
	" " stock and tools on hand, -	1775 37
		5445 55

WHEELWRIGHT SHOP.

1845.		DR.
Dec. 1	To stock and tools on hand, - -	\$ 2279 50
	" " " since purchased, - -	4771 14
	" balance gained by this account, -	3953 71
		11,004 35
1846.		CR.
Nov. 30	By amount received and charged to date,	\$ 7069 94
	" " stock and tools on hand, -	3934 41
		11,004 35

*Statement C—Continued.***SHOEMAKERS SHOP.**

		DR.
1845.		
Dec. 1	To stock and tools on hand, - -	\$184 04
	“ “ “ since purchased, -	804 24
	“ balance gained by this account, -	576 10
		1,564 38
1846.		CR.
Nov. 30	By amount received and charged to date,	\$1422 38
	“ “ stock and tools on hand, -	142 00
		1564 38

WEAVERS, TAILORS, AND WOOL-CARDERS.

		DR.
1845.		
Dec. 1	To stock on hand, - - -	\$ 1269 75
	“ “ since purchased, - -	242 86
	“ balance gained by this account, -	1239 77
		2752 38
1846.		CR.
Nov. 30	By amount received and charged to date,	\$ 1236 43
	“ “ stock and tools on hand, -	1515 95
		2752 38

BRICK YARD.

		DR.
1845.		
Dec. 1	To stock and tools on hand, - -	\$ 745 50
	“ “ “ since purchased, -	251 50
	“ balance gained by this account, -	5209 66
		6206 66
Nov. 20	By amount received and charged to date,	\$5420 66
	“ “ stock and tools on hand, -	786 00
		6206 66

*Statement C—Continued.***STATE OF MISSISSIPPI.**

1845.		DR.
Dec. 1	To stock on hand, (convicts' clothing)	\$ 18 75
	“ amount charged to account to this date,	6166 79
	“ balance, ...	6573 73
		12,759 27
1846.		CR.
Nov.30	By amount drafts drawn on Auditor, .	\$12,706 27
	“ stock on hand, (convicts' clothing)	53 00
		12,759 27

FORAGE AND FUEL ACCOUNT.

1845.		DR.
Dec. 1	To stock on hand, ...	\$400 00
	“ amount purchased since, ...	803 59
		1203 59
1846.		CR.
Nov.30	By stock on hand, ...	\$182 50
	“ balance being amount consumed, .	1021 09
		1203 59

PROVISIONS ACCOUNT.

1845.		DR.
Dec. 1	To stock on hand, ...	\$ 485 50
	“ amount since purchased, ...	3902 23
		4387 73
1846.		CR.
Nov.30	By amount credited for hogs sold, .	\$159 12
	“ “ stock on hand, ...	758 00
	“ balance being amount consumed, .	3470 61
		4387 73

*Statement C—Continued.***HOSPITAL ACCOUNT.**

		DR.
1845.		
Dec. 1	To stock on hand, - - -	\$ 77 75
	“ amount since purchased, - -	139 84
		217 59
1846.		CR.
Nov.30	By stock on hand, - - -	\$87 00
	“ balance being amount consumed,	130 59
		217 59

FURNITURE ACCOUNT.

		DR.
1845.		
Dec. 1	To stock on hand, - - -	\$ 1417 50
	“ balance gained by this account, -	31 00
		1448 50
1846.		CR.
Nov.30	By stock on hand, - - -	\$ 1448 50
		1448 50

NEW ENGINE AND MACHINERY ACCOUNT.

		DR.
1846.		
July 31	To cost of engine, boiler, pipes, &c. &c.	\$1850 00
	“ freight and cost of erecting same, -	963 34
		2813 34
1846.		CR.
Nov.30	By engine, boiler, &c., on hand, -	\$2813 34
		2813 34

*Statement C—Continued.***RECAPITULATION.**

INCOME.		
Amount gained in	blacksmith shop, - -	\$2182 45
"	" wheelwrights shop, - -	3953 71
"	" shoemakers shop, - -	576 10
"	" weavers, tailors, & carders shop, - -	1239 77
"	" brick yard, - -	5209 66
"	" job and out-door work, - -	1703 25
"	" furniture account, - -	31 00
"	received from the State, - -	6573 73
"	stock and tools on hand Nov. 30, 1846.	19,659 07
"	cash on hand Nov. 30, 1846.	354 29
		44,671 03

EXPENDITURES.		
Amount lost on sales of manufactured articles,		\$ 469 12
" forage and fuel account, - - -		1021 09
" provision account, - - -		3470 61
" hospital account, - - -		130 59
" discharged convicts, - - -		341 00
" books and stationery, - - -		21 40
" contingent expenses, - - -		1325 80
" inspectors per diem, - - -		120 00
" freight and hauling, - - -		190 49
" officers salaries, - - -		3980 00
" guards and master-workmen salaries,		4119 25
" oil and lights account, - - -		369 45
" stock and tools on hand Dec. 1, 1845,		13,931 12
" cash on hand Dec. 1, 1845, - -		3359 37
" to balance, - - -		11,821 74
		44,671 03

NOTE.—The above balance of \$11,821 74 being deducted from the amount received from the State treasury, shows an actual loss for the year ending November 30th, 1846, of \$884 53.

Respectfully submitted,

BENJAMIN G. WEIR, Superintendent.

Attest: **DAVID N. BARROWS,** Clerk.

REPORT.

MISSISSIPPI PENITENTIARY,

CLERK'S OFFICE, }

DECEMBER 13th, 1847.

To his Excellency, A. G. Brown,

Governor of the State of Mississippi:

SIR—In compliance with the directions of the board of inspectors, I hand you herewith their annual report, together with that of the superintendent and physician for the fiscal year, ending November 30th, 1847.

I also transmit an account current from the commencement of the year (Dec. 1st, 1846,) up to the 10th of May last, when Major Weir resigned his office as superintendent, and another account current from that time up to the close of the year.

Accompanying these reports will be found tables prepared with care, giving the details and particulars in regard to the names, number, age, place of conviction, &c., &c., of the convicts, who have been received or discharged in the past year, and the number now in confinement.

I have prepared an account current and a statement of the amount of stock, tools, and cash on hand, which will be sworn to and filed in the auditor's office as the law directs.

The great amount of labor incumbent upon me in closing the books twice during the year, and the unusual length of the reports has rendered it impossible for me to present them at an earlier day.

I have the honor to be with high regard,

Your obedient servant,

D. N. BARROWS, *Clerk.*

INSPECTORS OFFICE,

MISSISSIPPI PENITENTIARY, }
December 13th, 1847. }*To his Excellency, A. G. Brown,**Governor of the State of Mississippi :*

SIR:—The inspectors take pleasure in stating that this institution continues in as healthy and prosperous condition as could have been reasonably expected. Many difficulties have intervened in endeavoring to carry out the provisions of the act of 1846, and give a new direction to the labor of the convicts. For several months after the passage of that act, the business of the prison became greatly diminished, and the various departments of industry afforded but little assurances of profit, which we easily traced to a false impression made on the public mind, that an immediate change had taken place in the affairs of the institution, and its usual operations had ceased under the provisions of the act to which we have referred. In time, however, the community were better informed, and we again witnessed the signs of prosperity.

For the financial condition of the prison and its statistics, we beg leave to refer your excellency, without comment, to the several reports and documents which accompany this report.

We deem it proper to recommend the propriety of providing by law, that an inventory of the stock of the institution shall be taken at the end of each fiscal year. Three or more appraisers might be appointed by the inspectors to value the stock, to the end that a just and true estimate might be made, and the profit and loss of the establishment might be more fairly ascertained. It is perhaps not out of place to remark, that the superintendent fully coincides with the board of inspectors as to the importance of this recommendation.

We have much reason to be satisfied with the general management of the institution. The officers have been vigilant and active in the discharge of their duties ; and while we do not feel at liberty to urge the propriety of increasing their salaries, we are assured that a more liberal compensation would always command the services of faithful and efficient officers ; and while we would not discriminate or indulge in any invidious comparisons between those who now control the establishment, we deem it our duty to direct attention to the neat, correct, and elegant manner in

which the clerk has kept the books of the institution. His duties are certainly onerous, and the small salary which he receives is but a poor compensation for the labor imposed.

It is deemed proper to call the attention of your excellency to such improvements as may be safely engrafted on the present system by which the institution is regulated. We are convinced that it would promote the welfare of the prison to restore the provisions of the old law under which the principal officers were elected for four years. The present tenure of office, it is believed is too limited. The reasons which have led to this conclusion, are many and cogent, but cannot be detailed without transcending the limits assigned to this report. The officers should be men of experience and practical ability. The fewest number indeed could be selected, who could enter at once upon the active duties of such an establishment, and meet the expectations of the public, without some previous knowledge of prison discipline, and the power of well directed labor. The period then for which an officer should be elected should be sufficient to enable him to become an able and experienced agent. He should not be liable without just cause of complaint, to removal at the expiration of two years, and at a time when his experience would render him efficient. We would therefore respectfully recommend that the superintendent, assistant keeper, and clerk, should be chosen for a term of four years, believing it would be wise and politic.

The attention of your excellency is invited to another subject which the inspectors have had under serious consideration. A majority of our board are fully persuaded that the interests of the institution demand, that the assistant keeper and the clerk should be appointed by the superintendent, by and with the advice and consent of the inspectors. It is thought that while the responsibility of managing the prison rests entirely on the superintendent, the power of appointing these officers should be vested in him, to the end, that his views might be fully carried out, and all his orders faithfully executed. He should be held accountable for the conduct of all who may be under his control, which would doubtless elicit his constant and unceasing energies in the exercise of his authority. Under the present system of electing the assistant and clerk, the operations of the institution may be often impeded and the best efforts of the superintendent frustrated, in the event the assistant keeper should ever become unmindful of the rights

of his superior, and refuse to execute his orders. It is evident under such a state of circumstances, the welfare of the prison would languish, and the arm of industry become paralysed. The honest efforts of the superintendent might prove vain and fruitless, and while the whole responsibility of controlling the prison is fixed on him, it is conceived that he should be clothed with a power commensurate with that responsibility. The clerks of our courts of justice appoint their own deputies. The sheriffs do likewise. The principals are responsible to the State, and the deputies to their respective principals. If this power of appointment was vested in the superintendent, and properly guarded, it would cause a unity of sentiment and action, so essential to the success of every important enterprize on the part of society or individuals. In a public prison, the officers should as it were, have one mind. There must be a controlling power, by which the whole machinery of government should be put into harmonious and vigorous action.

It is also advisable that an express authority should be given to the superintendent to so alter or arrange the main building connected with the prison, as to have a large and commodious store room to deposite the various articles manufactured for sale, so as to avoid the necessity of purchasers going within the walls of the prison. This improvement might be conveniently made, and with but little expense, as it might be done through the aid of the labor of the prisoners. If the superintendent, under the direction of the inspectors, should deem it best to erect a suitable building without the walls for this purpose, such an authority might be reasonably afforded, as it would probably involve no greater expense, the same kind of labor being employed in the erection of such edifice. Some provision of the kind will be demanded, particularly, when the machinery we have purchased shall be put into full operation, and when it is expected a large quantity of cotton and woollen goods will be manufactured for sale. If the articles for sale were placed without the walls, much of the time of the officers would be saved, in going the rounds of the shops attending upon the great number of daily visitors. Too many, it is believed obtain egress to the prison, with no other view than gratifying their curiosity. It is apparent much injury might result from such general and indiscriminate visitation. Aside from evils which it is needless to mention, arising from such a source, it is evident some

wholesome restriction should be laid on all visitors. The fewer the number admitted the better. The attention of the convicts should be attracted as little as possible; they would probably be more easily controlled and pursue their labors with more alacrity and profit.

The prison has been blessed, during the past year, with unusual health. This is to be mainly attributed to cleanliness and wholesome diet. Under the advice of our excellent physician, particular attention has been given to the physical wants of the prisoners. Their clothing, though coarse, is every way comfortable; their cells are clean and well ventilated. While on this subject, it is proper that we should state the urgent necessity of erecting a building within the walls suitable for a hospital. In case there should be an epidemic in the prison, it would be essential in arresting its progress, that the sick should be separated from the rest. This improvement is recommended on the score of humanity and policy, and we doubt not that it will meet with the sanction of your Excellency and the legislature which will shortly convene.

The most important duty with which the late superintendent was charged, under the direction of the board of inspectors, was accompanied with many embarrassments. In carrying into effect the general provisions of the act of 1846, time was necessarily required. With but little available means, other than the appropriation of four thousand dollars for the purchase of machinery, the superintendent was compelled to resort to the resources of the prison in order to effectuate the intention, if not the very letter of the law. A new direction was to be given to labor. The business of the institution was to run in another channel. An experiment was to be made. Means were required to do it. A sudden change could not have been effected even had the means been ample. Suitable buildings and fixtures were to be erected. The necessary machinery had to be ordered and constructed. All which, of course, rendered it impossible to execute at once the intention of the legislature. We are assured that no unnecessary delay has occurred in carrying out the provisions of the law. At an early day after the adjournment of the last legislature, the attention of the superintendent was directed to the act of 1846. Immediate steps were taken to accomplish the end it proposed. All the hands which could be conveniently engaged, were employed in moulding and burning bricks

for the purpose of erecting a suitable edifice for the reception of the engine and machinery directed to be purchased. Many thousand bricks were to be manufactured to erect the building required. As soon as the materials were made ready, the foundation was laid and the walls erected with as little delay as possible, but several months elapsed, however, before the edifice was completed. It is a strong and durable piece of workmanship, and fully answers the description given in the act, being large enough to accommodate more than eighty working hands. Let it be remembered that the whole scope and design of the act of 1846, was to apply the labor of the convicts in manufacturing coarse woollen and cotton goods. While the legislature appropriated the sum of four thousand dollars to the purchase of machinery, the superintendent was authorized and required by the sixth section of the act, to sell the manufactured articles on hand to aid in the proposed change of labor. As early as June, 1846, a special agent was despatched to the north, clothed with authority to purchase the necessary machinery. It was soon ascertained that the sum of four thousand dollars was inadequate for such purpose. In the absence of direct legislative instruction, it was believed, on a liberal construction of the law, and the evident intention of the act, that it was never contemplated that the sum of four thousand dollars, and no more, should be applied to the purchase of machinery. Such an opinion seems fully justified by not only the letter, but the spirit of the act. The authority given to the superintendent to sell the manufactured articles on hand to aid in the proposed change of labor, sustains this view. It stands, also, supported by reason and policy. It can be demonstrated, were it necessary, that machinery which would only cost four thousand dollars, would have been a most useless expenditure, and would have resulted in a dead loss to the State. Believing, then, that the legislature contemplated making a fair experiment, and finding the sum appropriated out of the treasury insufficient for the purpose, such machinery as was required, was ordered to be made, relying on the funds arising from the sale of articles manufactured in the prison to realize the balance of cost over and above the sum of four thousand dollars. Nearly eighteen months elapsed before the machinery was constructed and delivered. It arrived here in August last, and a machinist was employed immediately to put it up. Again we

were delayed, the manufacturers having neglected to make the necessary shafts to connect it with the engine which had been previously erected. They were immediately ordered to be cast at the Vicksburg foundry, but nearly two months passed before they were made.

The inspectors have every reason to believe that the experiment about being tried will prove eminently successful. In this opinion they may be deluded; but if there is any force in arguing from analogy, the manufacturing of cotton and woollen goods must prove a profitable business. We have plenty of the raw material at home, and the fabrics will find a ready sale. There are few branches of labor which will yield a better profit than that which usually arises from manufactures. With the simple expression of this opinion, we submit the subject to the enlightened consideration of your Excellency.

The inspectors cannot close this report without making an earnest appeal in behalf of moral and intellectual culture. In the prevention of crime, it is important not to overlook the reform of the criminal. Experience teaches, that punishment alone will not affect this reform. There is no genial influence in rigorous confinement, or in labor which has no reward. Many plans have been proposed and systems originated for the reformation of criminals while undergoing the sentence of the law, but none have been sufficiently tested for us to venture in recommending their adoption. However we may be at fault in not being able to propose a system which would be free from objection, or which would tend to accomplish with any certainty so desirable a result as the reformation of an offender, still we know there is a great instrument of reform to be found in moral and intellectual culture. While rewards would be vain, and punishments aggravate evil dispositions, the veriest depths of vice may be broken up by cultivating that moral sense which we believe animates the bosom of humanity. Let, then, the prisoner be provided with the means of obtaining wholesome moral instruction. Above all, let no Sabbath pass without the Bible being placed in their hands, and let them be fully instructed by the ministers of the gospel, and doubtless the most benign results will follow, for the spirit of truth will move in the depths of the most benighted intellect.

The institution has already experienced the generous influence of moral instructions. It is much indebted to the

efforts of the ministers of the various christian denominations of this city, who have attended the prison from Sabbath to Sabbath, to teach and expound that law by which we will all be tried in the great hereafter. Prisoners are under the absolute control of the State, and it is responsible for their tutelage. It is then the duty of the State, to do every thing in its power to advance the social and moral condition of the offenders, whose crimes have deprived them of liberty, and doomed them to hard labor within the walls of a prison. We cannot doubt, therefore, that this branch of our report, will command the earnest and serious consideration of your Excellency.

All of which is respectfully submitted.

(Signed)

RICH'D. P. WINSLOW.

J. C. FORREST,

CHAS. SCOTT,

Inspectors.

Attest: DAVID NYE BARROWS, Sec'y.

SUPERINTENDENT'S OFFICE.

MISSISSIPPI PENITENTIARY, }
December 8th, 1847. }

*To the Board of Inspectors of the
Mississippi Penitentiary.*

GENTLEMEN—In accordance with law, it becomes my duty as superintendent of this institution, to present to you its present condition and transactions during the year ending 30th of November, 1847.

Upon being appointed to the office of superintendent, I felt deeply impressed with the confidence reposed in me, and have ever since endeavored to deserve it; how far I have succeeded is more properly your province to determine.

Having so recently taken charge of the institution, a stranger to you and the other officers, without any experience in prison discipline, it will scarcely be expected that I should at this time make an elaborate report. I hope, however, as my mind has, for the last few months, been necessarily turned to the subject of prison discipline and the proper management of the inmates of such institutions, to effect the great object of their establishment, that I may

be indulged in a few remarks upon those subjects before entering upon the general statistics.

It is now, I believe, generally conceded and recognised as an established axiom, that the certainty, rather than the severity of the punishment, is the most salutary in preventing the commission of crime; and the same is true, in my judgment, in effecting the reformation of the convicted, which is the greatest consideration next to the public safety in the establishment of state prisons.

In our intercourse with the criminal, it should ever be borne in mind, that however varied our situations, we are, nevertheless, members of the same great family, and ultimately accountable to the same God; and whilst a morbid sympathy for the sufferings of the prisoner, regardless of the crime committed, would be highly reprehensible, a judicious modification of the requirements of the law would tend to convince its subjects, that they were intended for their benefit. Let those who contend for a more sanguinary discipline—that the greatest cruelty is productive of the greatest punishment—reflect and inquire of themselves, if it is not possible, by excess of severity, to so blunt the sensibility as to incapacitate the prisoner to be punished at all. If being doomed to hard labor, and confined to the monotonous scenes that transpire within the walls of a prison—shut out from friends and the exterior world, be not sufficient punishment, a more sanguinary mode may well be questioned. Coercive measures may be, and doubtless are, in extreme cases, sometimes necessary; yet, when the offender is conscious of guilt on his part, and a disinclination on the part of those controlling him to inflict severe punishment, except when imperiously required, it creates no spirit of revenge in the breast of the chastised; but when a disposition is manifested by the officers to inflict severe punishment, it is productive of harm. Severe coercive measures may compel, but seldom reform.

Entertaining these views, and seconded by inclination, I resolved upon entering upon the discharge of my duty, to endeavor to govern, so far as it should be in my power, by the law of kindness and humanity; such government appearing to me, not only to embrace the benevolent spirit of the age, but authorised by every principle of philanthropy and sound philosophy, and unless I have greatly mistaken the human character, best calculated to exert a favorable influence upon the minds of the convicts, at least

such as are not entirely depraved. Thus have I been actuated in my control here, and the good deportment of the inmates admonishes me that my efforts have not been entirely lost; for since I took charge, the prisoners have been, with a very few exceptions, obedient and faithful. For these results, however, I owe much to the watchful vigilance of the assistant-keeper and the faithfulness of the guards, who also brought to my aid the experience of my predecessor, thereby rendering the labor of government on my part comparatively light.

It is a source of much gratification, that the prisoners have been, in a great degree, exempt from disease during the last summer and fall; this exemption will contrast most favorably with any portion of country during the same period. For particulars, I refer you to the report of our excellent physician hereto appended.

The building heretofore occupied as a dwelling, to which I but recently called your attention, is in a dilapidated condition; the walls have given away considerably; this I have not been able to remedy; it is generally attributed to the weight of the dome.

The prison and prison yard have been thoroughly repaired and cleansed; the timbers had decayed in many of the cells; they have been repaired and the cells made secure. The prison-yard has been paved, with convenient drains, and necessary pavements have been erected outside and in front of the main building. Most of these improvements were made by your advice, and all of them were obviously necessary to comfort and cleanliness. By order of the city authorities, a pavement has been made the whole extent of the penitentiary lot on the south side.

Inobedience to an act of the legislature having for its object a change of convict labor, my predecessor erected a factory building of brick, three stories high, eighty-eight feet long by forty-four in width; and engaged of Messrs. Rogers, Ketchum & Grosvenor, of Patterson, N. J., the machinery necessary for carding and spinning coarse cotton thread to a considerable extent. Every effort has been made to carry out his plans. I had supposed until the machinist came out in August last, that all the fixtures necessary to run it, together with power-looms, were ordered; upon being informed that they were not, it was at once made known to your board, upon whose authority I immediately repaired to Vicksburg and engaged the making of the shafts and oth-

er necessary fixtures at the Vicksburg foundry. Notwithstanding every possible vigilance, it has not all been received yet, though it is believed that we shall be carding and spinning in twenty days; it is confidently expected from present appearances that the machinery will perform well.

The machinist estimates that from three to five hundred pounds of cotton per day may be carded and spun; and with the assistance of power-looms, it is but reasonable to suppose that we could make from seven to eight hundred yards of cloth daily. This would pay well, and in a short time not only reimburse the State, but greatly improve the finances of the prison, which have been so much crippled by its erection. It is to be hoped that the legislature will afford the means necessary to the consummation of an end so desirable. It is estimated that nine power-looms will be sufficient.

With but four thousand dollars appropriated by the legislature (an amount wholly inadequate to the purchase of machinery,) it has dragged rather heavily.

The factory erected cost,	:	:	\$8115 75
The engine purchased and in operation cost	:	:	2,813 34
The machinery purchased in New Jersey including freight and charges, cost	:	:	6,471 89
The machinery purchased in Vicksburg and not yet received, and the freight hither, will not cost less than	:	:	1,000 00
			\$18,400 98

To which may be added the labor that it has taken to erect the machinery, all of which, except four thousand dollars, has been extracted from the ordinary business of the institution.

In this connection, I take the liberty to suggest the propriety of providing an engine with suction hose. One is obviously necessary to prevent destruction by fire where there is so much combustible matter. It is estimated that from three to five hundred dollars will purchase a suitable one, which small amount might save much to the State.

There has generally been divine service in the prison on Sabbath day; several of the prisoners desired to be immersed, and a fount was erected for that purpose. It appears to be a source of profoundest gratification to most of them to know, that there are those, who notwithstanding their debased condition, care for them in a spiritual point of view; and I take this occasion to acknowledge my obligations to

the clergymen of this city and its vicinity, for their kind attention as such to the prisoners; they have in a great measure supplied the place of a chaplain, an officer so much needed in this and every similar institution.

The prisoners have generally been comfortably clad, their food has been somewhat varied to suit the season of the year; care has been taken to procure for their use the best and soundest meat; this was suggested not only by duty but economy, and has I believe materially aided in their easy control, and has doubtless been advantageous to their health. I am sure the utmost economy has been used, yet the provision account is large, owing to the unusual high price of meat and corn during the last year.

It should be borne in mind however, that in addition to the prisoners, there are twelve guards constantly supported by the institution, for which they receive \$5 00 less per month as wages.

There is now in the penitentiary 85 convicts, three of whom were received on the last day of the year; four less than at the last annual report. This fact is worthy of notice, and must surely be a source of peculiar felicitation to every lover of good order, to reflect, that notwithstanding the rapid increase of our growing State and population, the number of convicts in our State prison is diminishing.

No escape has been made from the prison during the year; but one attempt is known to have been made. No. 10 attempted to scale the walls, and was shot by the guard and wounded in the arm.

There have been during the year, 24 committed; 3 have died; 14 have been pardoned by the governor; 8 have gone out by expiration of sentence, and 3 sent back by writ of error.

For the operations of the institution from the commencement of the fiscal year, up to the 10th of May last, the day that my predecessor resigned, I refer you to document marked A, as taken from the clerk's books.

I took charge on the 11th of May last, since which time the convicts have generally been employed as follows, to-wit:

In Weelwright shop	13	Driving teams	:	:	:	:	1
" Blacksmith	" 7	Gardening	:	:	:	:	2
" Shoemakers	" 9	Cooking	:	:	:	:	3
" Weavers T & W. C.	9	Washing	:	:	:	:	2
" Painting & carriage	4	Sweeping & cleaning	:	:	:	:	2

" Cutting wood, &c. .6	Old and infirm : : : : 2
" Brick yard : : 18	Deranged : : : : 1
At Engine and grinding 3	Average confined sick : 3

Whole number in prison Nov. 30th, 1847, : : : : 85

The business of the institution has progressed harmoniously since I took charge on the 11th May last. The annexed statement marked B will exhibit the transactions from that day until 30th Nov. last, inclusive. It will be seen that the account made up to the time Major Weir resigned, shows a considerable loss, whilst the account since that time shows considerable gain; this is easily accounted for; the first six months of the fiscal year are always the most unprofitable, as the brick making, the heaviest branch of industry and the most profitable, does not commence generally before the last of May; the business of the several workshops has also very much increased for the last five or six months; taking the transactions of the whole year together, they show a net gain of \$85 10.

There have been paid of debts due and unpaid on 11th of May last \$50 63, which amount is included in the expenditures.

Annexed you will find tables giving all necessary information relative to convicts.

In conclusion gentlemen, I will only add that to you, as well as to the very efficient clerk, I owe much for kind attention and advice always so freely given, as also to the assistant keeper and other ministerial officers, for their vigilance; all have I believe, acted harmoniously, and for ought I know, the best and kindest feelings exist between them.

All of which is respectfully submitted,

[Signed]

JAS. W. WADE,
Superintendent.

PHYSICIAN'S REPORT.

MISSISSIPPI PENITENTIARY, }
Nov. 25th, 1847.

To the Inspectors of the Mississippi Penitentiary,

GENTLEMEN—The health of the prisoners during the past year, with the exception of January, February, and March, has been unusually good. The prevailing diseases have

been Diarrhœa, both acute and chronic, Dysentery and catarrhal fever. A few mild cases of intermittant and remittant fevers were noticed in the summer, but throughout the year, the prison has been comparatively exempt from any acute form of disease that has not yielded readily to medical treatment. From December to the first of April, there were many cases of Diarrhœa and Dysentery, but they were generally mild and in no instance proved fatal.

Three deaths have occurred from the beginning of the present year up to this date; they were all three the result of chronic diseases contracted years previous to the convicts entering the prison.

I would again call the attention of the inspectors to the erection of a hospital; the building which is now used for the purpose, would but indifferently answer should an epidemic break out, or disease of any kind prevail in the prison to any great extent.

Very Respectfully,

[Signed]

WM. S. LANGLEY.

BOARD OF INSPECTORS.

**RICHARD P. WINSLOW,
JAMES C. FORREST,
CHARLES SCOTT.**

SUPERINTENDENT,

JAMES W. WADE.

ASSISTANT KEEPER.

JOHN F. PRICE.

CLERK,

DAVID N. BARROWS.

PHYSICIAN AND SURGEON,

WILLIAM S. LANGLEY.

STATEMENT showing the number of Convicts sent back by writs of error, discharged by expiration of sentence, pardon and death, at the Mississippi Penitentiary, during the year ending Nov. 30, 1847.

Nos.	NAMES.	AGE.	CRIMES.	COUNTY WHERE CON- DEMNED.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.	REMARKS.
13	Benj S. Rheams	32	Grand larceny	Adams	Dec. 20, '42	Dec. 17, '46	Louisiana	
61	Earnest Sims (a)	20	Abetting murder	Carroll	Apr. 24, '45	Apr. 24, '47	Mississippi	Pard. Dec. 24, '46
14	Jas. Cottenham (b)	28	Assault to kill	Leake	Oct. 8, '42	Oct. 8, '48	Tennessee	do Jan. 29, '47
57	Abijah W. Dunn (c)	38	Manslaughter	Madison	Mar. 12, '45	Mch. 12, '47	Ohio	do. Feb. 11, '47
39	Geo. W. Scaggs*	30	do	Itawamba	Sep. 25, '46	Sep. 19, '71	Alabama	Sent back Fb. 17, '47
62	John Flake	25	Larceny	Tishemingo	Sep. 30, '46	Sep. 11, '48	Tennessee	Died Mar'h. 11, '47
33	Isaac Turney	31	Rape	Claiborne	June 24, '45	Jun. 11, '65	Kentucky	Sent b'k Mh. 23, '47
54	William Hill (d)	29	Larceny	Leake	Oct. 11, '45	Oct. 11, '47	Virginia	Pard. Mar. 26, '47
8	Geo. Armstrong (e)	40	do	Harrison	Apr. 22, '45	Apr. 2, '50	Ireland	do Mar. 25, '47
60	Danl. S. M'Coy (f)	25	Grand larceny	Jackson	Apr. 4, '43	Mar. 29, '47	New York	do " 27, '47
27	A. Morris*	35	Forgery	Lowndes	Oct. 30, '46	Oct. 30, '56	Virginia	Sent bk Mh. 30, '47
47	Samuel Henry (g)	18	Manslaughter	Madison	May 14, '42	May 14, '47	Alabama	Pard. April 5, '47
53	Robt. Clements	22	Larceny	Green	Apr. 14, '45	Apr. 14, '47	S. Carolina	
46	Jn. S. Hopkins (h)	27	Negro stealing	Jefferson	May 12, '42	May 7, '54	New York	Pard. May 1, '47
48	Edw'd. S. Cassada	27	Grand larceny	Warren	" 18, '42	May 14, '47	Pennsylvania	
88	Jas. T. Childress	25	Larceny & forg'y	De Soto	Nov. 26, '46	Nov. 13, '52	Alabama	Died May 15, '47
82	Jn. A. Gardner	20	Larceny	Jasper	May 20, '45	May 27, '47	Massachusetts	
78	Benj. Flagg	21	Burglary	Adams	June 11, '47	Jun. 6, '47	Scotland	
25	William Smart (i)	50	Rape	Harrison	Mch. 13, '46	Mar. 6, '56	Maine	Pard. July 5, '47
7	Seaborn Sanford (j)	29	Murder sen. com.	Noxubee	Apr. 26, '43	Apr. 22, '53	Georgia	do July 6, '47

23 Jn. B. Wilson (<i>k</i>)	26 Shooting to kill	Adams	Dec. 28, '41	Dec. 11, '51	Missouri	Pard. July 19, '47
84 Jas. Adams	55 Rape	Pike	Oct. 31, '44	Oct. 31, '49	Illinois	Died July, 20, '47
65 Chs. Rhieter (<i>l</i>)	38 Shooting to kill	Franklin	Mar. 23, '46	Mar. 19, '50	Hanover	Pard. Jul., 30, '47
17 Daniel Boyle	26 Larceny	Wilkinson	Oct. 21, '43	Oct. 6, '47	Ireland	
2 W. M. Calcotte (<i>m</i>)	38 Manslaughter	Franklin	Sep. 30, '46	Sep. 28, '50	Mississippi	Pard. Oct. 8, '47
56 Frederick Rhodes	38 Grand larceny	Tishemingo	Oct. 31, '42	Oct. 12, '47	Austria	
87 Chas. W. Dodson	23 Larceny	Carroll	Oct. 24, '41	Oct. 16, '47	England	
55 John Kooney (<i>n</i>)	34 Assault to kill	Warren	Dec. 12, '44	Nov. 23, '47	Ireland	Pard. No. 22, '47

NOTE. *Sent back by High Court.

Reasons for Pardon.—(*a*) Strong probability of being innocent.. (*b*) Becoming insane. (*c*) Good conduct while in prison. (*d*) Prevented a convict from killing a guard. (*e*) Strong probability of being innocent. (*f*) Evidence of reformation of character. (*g*) Good behavior while in prison. (*h*) To leave the State and not return. (*i*) Erroneously convicted. (*j*) Further confinement would be injurious. (*k*) Offence atoned for and justice satisfied. (*l*) Commission of the offence very doubtful. (*m*) Offence atoned for and justice satisfied. (*n*) Good conduct while in prison.

J. W. WADE, Superintendent.

Attest: D. N. BARROWS, Clerk.

STATEMENT Showing the number of Convicts in

No.	NAMES	AGE	CRIMES
1	John Frazier	20	Horse Stealing
2	Robert Brown	21	Manslaughter
3	John Greesou	33	Robbery
4	Dennis Vermillion	44	Grand Larceny
5	Daniel Knight	21	Negro Stealing
6	Ephraim E. Wilborn	26	Larceny
8	John Bradley	30	Assault to kill
9	Stephen F Peak	26	Manslaughter
10	Newton A Gaylor	28	Larceny
11	John Furguson	36	Negro Stealing
12	Joshua Hall	22	Larceny
13	Pleasant Nicholas	29	Larceny and F
14	Michael Cupp	34	Altering marks
15	John Ober	32	Burglary
16	Wm Brantly	23	Manslaughter
17	Wm Lockard	34	"
18	Thomas C Brooks	55	"
19	James Bradley	25	Assault to rape
20	Wm H Garrett	22	Negro Stealing
21	Geo Tyler	18	" "
22	*Jas M Thomason	25	Forgery
23	Thadeous W Gilder	27	Negro Stealing
24	Joel Swiney	21	Grand Larceny
25	James Cartright	49	Assault to kill
26	Francis D Talcott	38	Negro Stealing
28	Elijah Dick	43	Assaulting his wife
29	Wm Mackin	22	Having counterfeit money,
30	Jas A Hall	32	Assault to kill
31	Louis E Gayerre	34	Negro Stealing
32	Jas F W Smith	42	Manslaughter
34	G W Lipscomb	27	"
35	Hosea McDermitt	19	Larceny
36	Robert Parker	28	Manslaughter
37	Andrew J Archer	31	Grand Larceny
38	James Moore	27	Robbery
39	Benj Hailman	30	Negro Stealing
40	Jas M Buttorff	31	Larceny
41	Jas Runnels	30	Negro Stealing
42	Jacob Crawford	33	Having forged notes

Mississippi State Penitentiary, November 30th, 1847.

COUNTIES WHERE CON- DEMNED	DATE OF ADMISSION	EXPIRATION OF SENTENCE	PLACE OF BIRTH
Hinds	Oct. 31, '40	Oct. 27, '50	N. Carolina,
Yazoo	Nov. 18, '47	Nov. 16, '51	Ireland,
Itawamba	April 15, '40	April 15, '50	Georgia,
Adams	Nov. 19, '46	Nov. 15, '51	D. of Columbia,
Yazoo	Dec. 2, '45	Nov. 27, '55	S. Carolina,
Monroe	May 8, '46	May 1, '51	Tennessee,
"	May 7, '47	April 26, '49	Ireland,
Marion	April 20, '44	April 11, '50	Mississippi,
Copiah	Nov. 29, '46	Nov. 28, '56	Tennessee,
Holmes	Nov. 8, '44	Nov. 8, '54	Vermont,
Adams	June 2, '46	June 1, '51	Illinois,
De Soto	Nov. 26, '46	Nov. 13, '52	Tennessee,
Lafayette	April 8, '47	April 8, '49	Georgia,
Adams	June 17, '45	June 12, '51	Pennsylvania,
Warren	May 27, '45	May 7, '52	Alabama,
Clarke	Oct. 20, '47	Oct. 16, '62	Virginia,
Itawamba	Nov. 6, '44	Nov. 6, '51	N. Carolina,
Adams	June 2, '46	June 1, '51	Arkansas,
Monroe	Nov. 6, '43	Oct. 27, '53	New York,
Hinds	Oct. 10, '40	Oct. 9, '50	Ohio,
Lowndes	Oct. 23, '45	Oct. 23, '50	Virginia,
Clarke	Oct. 20, '47	Oct. 16, '57	S. Carolina,
Copiah	Nov. 29, '46	Nov. 28, '56	Alabama,
Chickasaw	Oct. 10, '47	Oct. 1, '57	Tennessee,
Adams	June 9, '43	June 7, '55	Massachusetts,
Monroe	May 15, '45	May 8, '52	S. Carolina,
Adams	June 2, '46	June 1, '54	Ireland,
Tippah	Oct. 14, '45	Oct. 2, '49	S. Carolina,
Noxubee	May 7, '45	April 25, '55	Louisiana,
Panola	Nov. 15, '46	Nov. 6, '56	N. Carolina,
Lafayette	Dec. 6, '43	Nov. 28, '58	Virginia,
Monroe	May 15, '45	May 6, '50	Georgia,
Tishemingo	Sept. 30, '46	Sept. 10, '61	S. Carolina,
Warren	July 8, '44	June 22, '49	Virginia,
Adams	June 2, '46	June 1, '61	Virginia,
Yallobusha	Sept. 13, '47	Sept. 3, '57	Pennsylvania,
Adams	June 30, '43	June 7, '51	Indiana,
Bolivar	March 20, '46	March 17, '56	New York,
Adams	Dec. 28, '41	Dec. 11, '47	Kentucky,

STATEMENT Showing the number of Convicts in

No.	NAMES.	AGE	CRIMES
43	Jesse Ford	18	Negro Stealing
44	Mathias Elmore	30	Manslaughter
45	William Reese	31	Negro Stealing
46	Wiley Lyons	19	" "
47	Wm H Foster	22	Passing counterfeit money
48	Ebenezer Earl	50	Negro Stealing
49	Andrew Buill	62	Burglary
50	Thomas Percill	29	Larceny
51	John Harkley F M C	106	Assault to kill
52	John S Williams	19	Forgery
53	Marshal Chandler	20	Manslaughter
54	John A Dickey	35	Grand Larceny [pretences
55	Charles A Cozzens	23	Obtaining money by false
56	John W Grant	26	Larceny
57	Wm Blocker	19	"
58	Peter West	43	"
59	Jas J White	42	Grand Larceny
60	Wm Bastie	35	" "
61	Biram Jackson	23	Larceny
62	Moses Nunnelly	21	"
63	Joseph H Johnson	29	"
64	James Scott	42	"
65	Wm Boram	40	"
66	Pendleton H Wells	21	"
67	*John F Teague	17	"
68	Eber Rowe	24	"
69	William Huff	29	"
70	Wm McKnight	23	Forgery
71	Geo Crenshaw	24	Larceny
72	Benjamin Bridges	60	Attempt to steal slave
73	Wm W Gray	21	Forgery
74	*Chs Covy F M C	27	Larceny
75	James Cook	32	Manslaughter
76	Wm D Nixon	34	"
77	Robt F Dillingham	26	Larceny
79	John Holt	22	Manslaughter
80	Daniel W Daniels	42	Perjury
81	John Davis	45	Grand Larceny
82	Henry Warren	18	Larceny

Mississippi State Penitentiary, November 30th, 1847.

COUNTIES WHERE CON- DMNED.	DATE OF ADMISSION	EXPIRATION OF SENTENCE	PLACE OF BIRTH
Madison	May 28, '42	May 22, '52	Mississippi,
Jasper	Jan. 9, '42	Jan. 2, '49	S. Carolina,
Lowndes	Oct. 25, '44	Oct. 25, '54	England,
Marshall	Sept. 23, '47	July 2, '57	Tennessee.
Tunica	Sept. 17, '47	Sept. 9, '54	New York,
Adams	Nov. 30, '47	Nov. 26, '57	New York,
"	June 11, '44	June 6, '56	New York,
Warren	June 13, '44	June 12, '49	Ireland,
Adams	June 10, '43	June 7, '49	St. Domingo,
Hinds	April 24, '46	April 22, '48	Virginia,
Claiborne	April 22, '47	April 17, '49	Georgia,
Tishemingo	March 23, '47	March 6, '51	S. Carolina,
Adams	Nov. 30, '47	Nov. 26, '49	Rhode Island,
"	Nov. 30, '47	Nov. 26, '49	Mississippi,
Amite	March 14, '47	March 6, '50	Mississippi,
Marion	April 25, '45	April 17, '48	New York,
Leake	March 27, '46	March 25, '50	S. Carolina,
Chickasaw	April 4, '47	April 4, '49	Georgia,
Marshall	Jan. 11, '47	Dec. 26, '48	Tennessee,
Lowndes	April 28, '47	April 17, '49	Alabama,
Adams	June 2, '46	June 1, '50	Georgia,
"	June 2, '46	June 1, '48	Pennsylvania,
Tippah	Oct. 12, '47	Sept. 30, '50	Virginia,
Adams	June 2, '46	June 1, '48	Mississippi,
Monroe	May 15, '45	May 1, '54	S. Carolina,
Adams	June 2, '46	June 1, '50	New York,
Claiborne	Oct. 22, '46	Oct. 17, '48	Pennsylvania,
"	Oct. 22, '46	Oct. 17, '48	Ohio,
Lowndes	Oct. 30, '46	Oct. 30, '48	Virginia,
Simpson	Nov. 14, '46	Nov. 13, '49	S. Carolina,
Tippah	April 21, '44	April 1, '49	Alabama,
Warren	Nov. 17, '46	Nov. 16, '48	Georgia,
Coahoma	April 25, '44	April 18, '49	Indiana,
Itawamba	April 27, '44	April 20, '54	S. Carolina,
Warren	Nov. 9, '46	Nov. 9, '48	Virginia,
"	Nov. 9, '46	Oct. 24, '48	Indian Nation,
Copiah	Nov. 29, '46	Nov. 28, '56	New York,
Carroll	Nov. 26, '46	Nov. 21, '48	Georgia,
Warren	May 12, '47	May 8, '49	Ohio,

STATEMENT Showing the number of Convicts in

No.	NAMES	AGE	CRIMES
83	Saml P Howell	22	Forgery
85	Hillery J Lanier	48	Larceny
86	John Smith	20	Horse Stealing
88	John Maloney	54	Larceny
89*	Jas H Aiken	28	"
90	James Eden	39	"
91	John Wilcox	21	"

Total 85. Those marked with a * were committed to

Attest: D. N. BARROWS, Clerk.

Mississippi State Penitentiary, November 30th, 1847.

COUNTIES WHERE CON- DEMNED	DATE OF ADMISSION	EXPIRATION OF SENTENCE	PLACE OF BIRTH
Panola	Nov. 29, '46	Nov. 6, '51	Georgia,
Copiah	Nov. 29, '46	Nov. 28, '48	Louisiana,
Lowndes	Oct. 23, '45	Oct. 23, '48	Tennessee,
Adams	May 18, '47	May 15, '49	Ireland,
Hinds	Dec. 12, '46	Dec. 11, '49	Tennessee,
Marshall	Jan. 11, '47	Dec. 28, '48	Virginia,
Warren	May 12, '47	May 8, '49	England.

this prison a second time.

J. W. WADE, Superintendent.

*General statement of the convicts in the Mississippi State
Penitentiary, November 30, 1847.*

Whole number received since the first admission,					
April 15, 1840,	:	:	:	:	220
Whole number in confinement December, 1, 1846,					89
“ “ received since, up to Nov., 30, 1847,					24
“ “ discharged by expiration of sentence,					8
“ “ “ by pardon of the Governor,					14
“ “ sent back by writs of error from the					
High Court of Errors and Appeals.	:	:	:	:	3
Whole number of deaths	:	:	:	:	3
“ “ remaining in confinement Novem-					
ber 30, 1847,	:	:	:	:	85

FROM WHAT COUNTIES RECEIVED.

Hinds,	:	:	:	4	Clarke,	:	:	:	2
Itawamba,	:	:	:	3	Adams,	:	:	:	19
Monroe,	:	:	:	6	Noxubee,	:	:	:	1
Smith,	:	:	:	1	Marion,	:	:	:	2
Copiah,	:	:	:	4	Holmes,	:	:	:	1
Leake,	:	:	:	1	Warren,	:	:	:	8
Lowndes,	:	:	:	5	Tippah,	:	:	:	3
Panola,	:	:	:	2	Yallabusha,	:	:	:	1
Tunica,	:	:	:	1	Chickasaw,	:	:	:	2
Yazoo,	:	:	:	2	Claiborne,	:	:	:	3
Lafayette,	:	:	:	2	Tishomingo,	:	:	:	2
Bolivar	:	:	:	1	Madison,	:	:	:	1
Jasper,	:	:	:	1	Carroll,	:	:	:	1
Simpson,	:	:	:	1	Coahoma,	:	:	:	1
De Soto,	:	:	:	1	Marshall,	:	:	:	3

TERMS OF SENTENCE.

For 15 years,	:	:	4	For 12 years,	:	:	2
“ 10 “	:	:	20	“ 8 “	:	:	2
“ 7 “	:	:	4	“ 6 “	:	:	5
“ 5 “	:	:	12	“ 4 “	:	:	6
“ 3 “	:	:	6	“ 2 “	:	:	23

One convicted for 4 years re-sentenced for 5 years

General statement of the convicts in the Mississippi State Penitentiary, November 30, 1847—Continued.

CRIMES.

Horse stealing,	:	2	Manslaughter,	:	13
Robbery :	:	1	Grand larceny,	:	8
Negro stealing :	:	13	Petit larceny,	:	27
Assault to kill,	:	4	Burglary,	:	2
Assault to commit rape,	:	1	Forgery,	:	5
Assault to kill his wife,	:	1	Having, counterf't money,	:	1
Having forged notes,	:	1	Attempt to steal a slave,	:	1
Perjury, :	:	1	Larceny and forgery,	:	1
Altering marks,;	:	1	Passing counterf't money,	:	1
Obtaining money by false pretences, 1.					

PLACE OF NATIVITY.

North Carolina,	:	3	Mississippi,	:	5
Georgia,	:	9	D. of Columbia,	:	1
South Carolina,	:	11	Tennessee,	:	8
Ireland,	:	5	Vermont,	:	1
Illinois,	:	1	Louisiana,	:	2
Pennsylvania	:	4	Alabama,	:	4
Arkansas,	:	1	Choctaw Indian nation,	:	1
New York,	:	8	Ohio,	:	3
Virginia,	:	10	Massachusetts,	:	1
Kentucky,	:	1	Indiana,	:	2
England,	:	2	St. Domingo,	:	1
Rhode-Island,	:	1			

OCCUPATIONS WHEN COMMITTED.

Book-binder,	:	1	Turner,	:	1
School-master,	:	1	House-carpenters,	:	1
Gin-wright,	:	1	Saddler,	:	1
Carriage-maker,	:	1	Blacksmiths,	:	4
Harness-maker,	:	1	Wheel-wright,	:	1
Physicians,	:	2	Tailor,	:	1
Shoemakers,	:	2	Cigar-maker,	:	1
Leather currier,	:	1	Ship-carpenter	:	1
Painters,	:	2	Stone-cutter,	:	1
Spinner,	:	1	Cabinet-makers,	:	2

Without trades or professions, 57.

General statement of the convicts in the Mississippi State Penitentiary, ending November 30, 1847—Continued.

AGE, WHEN COMMITTED.					
From 17 to 20 years,	10	From 50 to 60 years,			3
" 20 " 30 "	40	" 60 " 70 "			2
" 30 " 40 "	18	106 years of age,			1
" 40 " 50 "	11				

J. W. WADE, Superintendent.

Attest: D. N. BARROWS, Clerk,

STATEMENT A.

Showing the operations and condition of the Mississippi State Penitentiary, from the 1st day of December, 1846, to the 10th day of May, 1847, inclusive.

MANUFACTURED ARTICLES.

1846.		DR.
Dec. 1,	To stock on hand, - - -	\$6163 00
	“ am’t charged to this ac’t since,	2092 63
	“ bal. gained by this act., - -	1103 95
		9359 58
		CR.
May 10	By am’t received and charged to date,	3919 37
	“ “ of stock on hand, - -	5440 21
		9359 58

BLACKSMITHS’ SHOP.

1846.		DR.
Dec. 1.	To Stock on hand, - - -	\$1775 37
	“ “ since purchased, - -	1047 88
		2823 25
		CR.
May 10	By am’t received and chared to date,	1049 13
	“ stock and tools on hand, - -	1525 17
	“ balance lost by this account, -	248 95
		2823 25

WHEELWRIGHTS’ SHOP.

1846.		DR.
Dec. 1,	To stock and tools on hand, -	\$3934 41
	“ am’t since purchased, - -	2193 79
	“ balance gained by this account,	1859 41
		7987 61

STATEMENT A [Continued.]

WHEELWRIGHTS' SHOP.

		CR.
May 10	By am't received and charged to date,	\$4191 95
	" stock and tools on hand, - -	3795 66
		<u>7987 61</u>

SHOEMAKERS' SHOP.

1846.		DR.
Dec. 1,	To stock and tools on hand, - -	\$142 00
	" am't since purchased, - -	506 17
	" balance gained by this account,	427 37
		<u>1075 54</u>

		CR.
May 10	By am't received and charged to date,	637 72
	" stock and tools on hand, - -	437 83
		<u>1075 54</u>

WEAVERS, TAILORS, & WOOL CARDERS SHOP.

1846.		DR.
Dec. 1,	To stock and tools on hand, -	\$1515 95
	" balance gained by this account,	622 07
		<u>2138 02</u>

		CR.
May 10	By am't received and charged to date,	775 73
	" stock and tools on hand, - -	1362 29
		<u>2138 02</u>

STATEMENT A [Continued.]

BRICKYARD ACCOUNT.

1846.		DR.
Dec. 1,	To stock and tools on hand, - -	\$786 00
	“ am't since purchased, - -	32 47
	“ balance gained by this account,	1003 03
		1821 50
		CR.
May 10	By am't charged and received to date,	997 50
	“ stock and tools on hand, - -	824 00
		1821 50

PROVISION ACCOUNT.

1846.		DR.
Dec. 1,	To stock on hand, - - -	\$758 00
	“ “ since purchased, - -	1866 96
		2624 96
		CR.
May 10	By am't credited this account, -	39 80
	“ “ stock on haad, - -	510 26
	“ “ consumed, - - -	2074 90
		2624 96

STATE OF MISSISSIPPI ACCOUNT.

1846.		DR.
Dec. 1.	To stock on hand, - - -	\$ 53 00
	“ am't charged for new factory, &c.,	9207 56
		9260 56
		CR.
May 10	By am't drafts on auditor, - -	8311 23
	“ “ stock on hand, - - -	161 50
	“ “ balance due from state, -	787 83
		9260 56

STATEMENT A [Continued.]

HOSPITAL ACCOUNT.

1846.				DR.
Dec. 1.	To stock on hand,	-	-	\$ 87 00
	“ “ since purchased,	-	-	32 72
				<u>119 72</u>
				CR.
May10	By stock on hand,	-	-	68 45
	“ amount consumed,	-	-	51 27
				<u>119 72</u>

NEW ENGINE AND MACHINERY ACCOUNT.

1846.				DR.
Dec. 1.	To stock on hand,	-	-	\$2813 34
	“ “ since purchased,	-	-	1125 96
				<u>3939 30</u>
				CR.
May10	By stock on hand,	-	-	3939 30
				<u>3939 30</u>

STATEMENT A [Continued.]

RECAPITULATION.**INCOME.**

Am't gained on sales of manufactured articles,	\$1103	95
“ “ by wheelwrights shop, -	1859	41
“ “ “ shoemakers “ - -	427	37
“ “ “ weavers, &c., &c., - -	622	07
“ “ “ brickyard, - - -	1003	03
“ “ “ job and out door work, -	523	05
“ due from state as per account, - -	787	83
“ of stock and tools on hand May 10, '47,	19639	68
“ “ cash “ “ “ “ “	799	71
Bal. being loss from Dec. 1. '46, to May 10, '47,	3948	18
	30714	28

EXPENDITURES.

Am't lost by blacksmith shop, - - -	248	95
“ “ “ forage and fuel account, -	272	37
“ “ “ provision “ - -	2074	90
“ “ “ hospital “ - -	51	27
“ paid to discharged convicts, - -	135	00
“ “ for books and stationary, - -	10	00
“ “ “ contingencies, - - -	758	48
“ “ inspectors per diem, - - -	86	00
“ “ freight and hauling, - - -	155	65
“ “ officers salaries, - - -	1718	88
“ “ guards “ - - -	1819	74
“ “ for oil and lights, - - -	181	68
“ of stock and tools on hand, Dec. 1, '46,	19659	07
“ “ cash, - - -	3542	29
	30714	28

STATEMENT B.

Showing the operations and condition of the Mississippi State Penitentiary from the 11th May, 1847, to 30th November, 1847, both days inclusive.

MANUFACTURED ARTICLES.		
1847.		DR.
May 11	To stock on hand, - - -	\$5440 21
	“ since charged, this amount, -	2706 50
		8146 71
1847.		CR.
Nov 20	By amount sold for cash, - -	\$2462 24
	“ stock on hand, - - -	5538 04
	“ balance lost by this amount, -	146 43
		8146 71

BLACKSMITH SHOP.		
1847.		DR.
May 11	To stock and tools on hand, -	\$1525 17
	“ amount since purchased, -	709 89
	“ balance gained by this amount	1121 04
		3356 10
1847.		CR.
Nov 30	By amount received to date, -	\$1346 65
	Amount stock and tools on hand.	2009 45
		3356 10

WHEELWRIGHT SHOP.		
1847.		DR.
May 11	To stock and tools on hand, -	\$3795 66
	“ amount since purchased, -	2106 62
	“ balance gained by this amount,	1824 42
		7726 70

STATEMENT B [Continued.]**WHEELWRIGHT SHOP.**

1847.		CR.
Nov 30	By amount received to date, -	\$4481 74
	“ stock and tools on hand, -	3244 96
		<u>7726 70</u>

SHOEMAKER'S SHOP.

1847.		DR.
May 11	To stock and tools on hand, -	\$437 82
	“ amount since purchased, -	356 36
	“ balance gained by this account, -	1161 54
		<u>1955 72</u>

1847.		CR.
Nov 30	By amount received to date, -	\$1578 17
	“ “ stock and tools on hand, -	377 55
		<u>1955 72</u>

WEAVERS, TAILORS AND WOOLCARDERS, SHOP.

1847.		DR.
May 11	To stock and tools on hand, -	\$1362 29
	“ amount since purchased, -	56 44
	“ balance gained by this account, -	764 10
		<u>2182 83</u>

1847.		CR.
Nov 30	By amount rec'd. and charged to date, -	\$734 73
	“ “ stock and tools on hand, -	1448 10
		<u>2182 83</u>

BRICK YARD ACCOUNT.

1847.		DR.
May 11	To stock and tools on hand, -	\$824 00
	“ amount since purchased, -	369 65
	“ balance gained by this account, -	3503 09
		<u>4696 74</u>

STATEMENT B [Continued.]

BRICK YARD ACCOUNT

1847.		CR.
Nov 30	By amount rec'd. and charged to date,	\$1804 49
	“ “ stock and tools on hand,	2892 25
		<u>4696 74</u>

STATE OF MISSISSIPPI ACCOUNT.

1847.		DR.
May 11	To stock, convict clothing on hand,	\$161 50
	“ am't chg'd permanent improvement	3808 97
	“ balance due from this account,	6389 48
		<u>10359 95</u>
1847.		CR.
Nov 30	By am't drafts on Auditor, - -	\$6206 35
	“ appro'n for machinery, \$4,000 00	
	“ exch gained on same, 128 60	4128 60
	“ convict clothing on hand, -	25 00
		<u>10359 95</u>

FORAGE AND FUEL ACCOUNT.

1847.		DR.
May 11	To amount charged to date, -	\$308 19
		<u>308 19</u>
1847.		CR.
Nov 30	By stock on hand, - - -	48 75
	“ balance (being am't consumed,)	259 44
		<u>308 19</u>

HOSPITAL ACCOUNT.

1847.		DR.
May 11	To stock on hand, - - -	\$68 45
	“ amount since purchased -	72 18
		<u>140 63</u>

STATEMENT B [Continued.]

HOSPITAL ACCOUNT.

1847.		CR.
Nov 30	By stock on hand, - - -	\$77 50
	“ balance (being am't consumed)	63 13
		<u>140 63</u>

PROVISION ACCOUNT.

1847.		DR.
May 11	To stock on hand, - - -	\$510 26
	“ amount since purchased, -	1904 44
		<u>2414 70</u>

1847.		CR.
Nov 30	Am't credited for rec't & keeping negroes,	\$54 40
	“ stock now on hand, - - -	208 30
	“ balance (being amount consumed)	2152 00
		<u>2414 70</u>

FURNITURE ACCOUNT.

1847.		DR.
May 11	To stock on hand, - - -	\$1448 50
1847.		CR.
Nov 30	By amount stock on hand, - - -	\$1448 50

NEW ENGINE AND MACHINERY ACCOUNT.

1847.		DR.
May 11	To stock on hand this day, -	\$3939 30
	“ machinery since received, -	5345 93
		<u>9285 23</u>
1847.		CR.
Nov 30	By stock on hand, - - -	\$9285 23
		<u>9285 23</u>

STATEMENT B [Continued.]

CASH ACCOUNT.

		DR.	
1847.			
May 11	To cash on hand this day, - -	\$799	71
	“ “ since received, - -	6893	15
		7692	86
		CR.	
1847.			
Nov 30	By cash expended to date, - -	\$6025	61
	“ “ now on hand, - -	1667	25
		7692	86

RECAPITULATION.

INCOME.

To amount gained in blacksmith shop,	:	:	\$1121	04
“ “ “ wheelwrights shop,	:	:	1824	42
“ “ “ shoemakers shop,	:	:	1161	54
“ “ “ weavers, &c.,	:	:	764	10
“ “ “ brick yard,	:	:	3503	09
“ “ received from the State,	:	:	6389	48
“ “ gained by job-work,,	:	:	646	20
“ “ stock and tools on hand,	:	:	26603	63
“ “ cash on hand,	:	:	1667	25
			43680	75

EXPENDITURES.

Amount purchased for blacksmith shop,	:	:	\$	709	89
“ “ “ wheelwright “	:	:		2106	62
“ “ “ shoemakers “	:	:		356	36
“ “ “ weavers &c. “	:	:		56	44
“ “ “ brick yard “	:	:		369	65
“ “ “ forage and fuel,	:	:		308	19
“ “ “ hospital stores,	:	:		72	18
“ “ “ provisions,	:	:		1904	44
“ “ “ new machinery,	:	:		5345	93
“ “ “ books and stationery	:	:		12	55
“ “ “ contingencies,	:	:		266	39
“ paid discharged convicts,	:	:		180	00
“ “ to inspectors,	:	:		76	00
“ “ for freight and hauling,	:	:		125	97

STATEMENT B [Continued.]

Amount paid officers salaries, :	:	:	:	\$2161	12
" " guards salaries, :	:	:	:	2280	83
" " for oil and lights, :	:	:	:	254	52
" lost on sale of manufactured articles, :	:	:	:	146	43
" " " forage and fuel account, :	:	:	:	259	44
" " " provision account, :	:	:	:	2152	00
" " " hospital account, :	:	:	:	63	13
" of stock and tools May 11, 1847, :	:	:	:	19639	68
" of cash on hand, May 11, 1847, :	:	:	:	799	71
				39647	47
Balance, (being nett gain) :	:	:	:	4033	28
				43680	75

NOTE.—The account made up to May 10, 1847, exhibits a loss of \$3948 18. The account since that time up to Nov. 30, 1847, exhibits a gain of \$4033 28. The transactions of the whole year give a nett profit of \$85 10.

Respectfully submitted,

JAMES W. WADE, Superintendent.

Attest: D. N. BARROWS, Clerk.

PROCLAMATION By Albert G. Brown, Governor of the State of Mississippi.

By the mail from Washington City, I was put in possession of the subjoined letter and memorandum from the Secretary of War, at 8 o'clock last night. It will be seen that the President of the United States requests the speedy organization of one regiment of infantry or riflemen in this State. In obedience to this request, I have great pleasure in saying to the patriotic citizens of Mississippi, that I will accept for the present, ten companies of infantry or riflemen, organized in conformity with the memorandum hereto appended. Volunteers will observe that it requires eighty privates and thirteen commissioned and non-commissioned officers to constitute a company. In the election of officers, and in the enrolment of privates, a strict observance of the rules laid down by the Secretary of War is enjoined. No company can be accepted by me that is not organized in the manner there pointed out.

As soon as ten companies are organized they will be rendezvoused at Vicksburg or Jackson, and mustered into the service of the United States. There will doubtless be many, very many more, to tender their services than can be accepted. It is therefore proclaimed that those who organize according to law, and first tender their services, will be first accepted by me, and by me tendered to the President of the United States.

Infantry or rifle companies heretofore reported will be required to report again when they shall have recruited, and otherwise organized according to the subjoined regulations. In again reporting, companies are strictly enjoined to report their full quota of officers and privates. And to avoid the difficulty of recruiting after orders are given to rendezvous, it will be proper not to accept any man who does not enrol himself on a pledge of honor to march with the company when orders are given. I need scarcely say that I trust the ten companies will be ready in the shortest possible time.

N. B. In all that I have done heretofore, I was but anticipating as far as practicable, the wishes of the authorities at Washington, and when I ordered the organization of companies to consist of from 64 to 100 men, I was looking to the law as it then was. It will be observed that the ten companies now asked for are to be organized according to a construction given by the President to the late act of Congress. When I accepted conditionally

twenty-eight companies, who had organized under my order, I supposed there would be a requisition on this State for at least 2500 men. And in all that I have done within the last few days to promote the organization of a regiment of cavalry, I have acted under the advice of Major Gen. Gaines, who gave me positive assurance that such a regiment would be accepted. The letter and memorandum hereto appended, contains the first intelligence on the subject to which they relate, of an official character received by me, since the commencement of hostilities between the United States and Mexico. My conduct was based on the best information I could get, and was designed to promote the public service. These remarks are submitted for the satisfaction of those who have been misled by my letters and advice. All that I have said or written was based on the exceedingly meagre and unsatisfactory accounts derived from unofficial sources. I am now acting advisedly, and I express an earnest hope that within a very few days the ten companies called from this State, will be organized and ready to march in the service of the United States.

A. G. BROWN.

Jackson, Saturday 11 o'clock, May 30th, 1846.

—
WAR DEPARTMENT, }
Washington, May 16th, 1846. }

SIR:—I have the honor to enclose a copy of an act of Congress entitled "an act providing for the prosecution of the existing war between the United States and the Republic of Mexico," which authorizes the President to accept the services of volunteers.

It will be perceived that all the officers with the volunteers taken into the service of the United States under this act, are to be appointed and commissioned, or such as have been appointed and commissioned in accordance with the laws of the State from whence they are taken; and that the volunteers received into the service of the United States are to have the organization of the Army of the United States. For this exact organization so far as relates to companies and regiments, please see the memorandum appended to the law herewith, to both of which particular attention is requested; but under the discretion allowed him, the President has decided that the number of *privates* in all volunteer companies shall be limited to eighty.

On the part of the President, I have to request your excellency to cause to be organized at the earliest practicable period, the following corps of volunteers :

One regiment of infantry or riflemen. Your excellency is requested to designate and to communicate promptly to this department some convenient place of rendezvous (say Vicksburg,) for moving towards Mexico, for the several companies as fast as they shall be organized, where they will be further organized into a regiment. The several corps will be inspected and mustered into the service of the United States as far as practicable, by an officer or officers of the United States Army. Where this cannot be done, you are requested to designate the inspecting and mustering officers, who will, in every case be instructed to receive no man under the rank of commissioned officer, who is in years apparently over forty-five or under eighteen, or who is not in physical strength and vigor ; nor the horse of any volunteer not apparently sound and effective, with the necessary horse equipments or furniture.

It is respectfully suggested that public notice of these requirements of law may prevent much disappointment to the zealous and patriotic citizens of your State. Multitudes of whom the President cannot doubt will be eager to volunteer.

Should there be any difficulty or considerable delay in obtaining the amount and description of the force proposed to be received from your State, you will give the earliest notice thereof to this department, that proper steps may be taken to receive them from other sections of the country.

Very respectfully, your ob't serv't,

W. L. MARCY, Secretary of War.

His Excellency the Governor of Mississippi, Jackson.

—

Memorandum of the organization of volunteer corps under the act of 13th May, 1846. A company of cavalry or mounted men will consist of—

One Captain,
One First Lieutenant,
One Second Lieutenant,
Four Sergeants,
Four Corporals,

Two Buglers,
 One Farrier and Blacksmith,
 Eighty Privates (as established by order of the President.)

A regiment of cavalry or mounted men will consist of

FIELD AND STAFF OFFICERS.

One Colonel,
 One Lieutenant Colonel,
 One Major,
 One Adjutant (a Lieutenant in addition to the Lieutenant of Company.)

NON-COMMISSIONED STAFF.

One Sergeant Major,
 One Quartermaster Sergeant,
 One Principal Musician,
 Two Chief Buglers, and
 Ten Companies (for the organization of which see above.)

A company of Infantry or Riflemen will consist of—

One Captain,
 One First Lieutenant,
 One Second Lieutenant,
 Four Sergeants,
 Four Corporals,
 Two Musicians,
 Eighty Privates (as established by order of the President.)

A regiment of Infantry or Riflemen will consist of

FIELD AND STAFF OFFICERS.

One Colonel,
 One Lieutenant Colonel,
 One Major,
 One Adjutant and a Lieutenant of one of the companies, but not in addition.

NON-COMMISSIONED STAFF.

One Sergeant Major,
 One Quartermaster Sergeant.
 Two Principal Musicians, and
 Ten Companies, for the organization of which see above.

EXECUTIVE CHAMBER, }
 Jackson, Miss., 7th June, 1846. }

Hon. W. L. Marcy, Sec. of War :

I have the honor to inform the President of the United States through you, that the regiment ordered from Mississippi, has been ordered to rendezvous at Vicksburg. Four of the ten companies are already on the ground, the other six are marching, and will be there in three to five days. The citizens, in the absence of any provision on the part of the government, have placed at my disposal upwards of thirty thousand dollars to subsist and transport the volunteers. To many of these generous individuals, it will be a serious deprivation to be kept long out of the use of their money. —

I have the honor to inform you that in addition to the ten companies composing the regiment ordered from Mississippi, ten other companies have already tendered their services, and in less than a week I shall no doubt have the offer of ten more. I renew and press my application to be allowed to furnish at least one more regiment either infantry or cavalry, but we would prefer cavalry.

Very respectfully, your ob't serv't,

A. G. BROWN.

WAR WITH MEXICO.

PROCLAMATION by Albert G. Brown, Governor of the State of Mississippi.

The subjoined letter from the Secretary of War, communicating the President's requisition, on this State, for one regiment of infantry, to serve during the war with Mexico, unless sooner discharged, has just come to hand. It gives me pleasure to lay it before the country, assured that it makes the only appeal to the martial spirit of the freemen of Mississippi which is necessary.

The nation is unhapily involved in war—the constituted authorities call on the citizen soldiery to sustain the banner which now waves in triumph over the fields of Palo Alto, Reseca de la Palma and Monterey—the call speaks in strains more eloquent to every patriot's heart than any language at my command. It is my earnest desire to avoid all semblance of confusion in collecting the troops at the place of rendezvous, to afford every part of the State, and indeed every individual as far as possible, equal and exact justice under this call ; and above all is it desired that the gallant

spirits who respond to the call, may not be disappointed. It will be perceived that the President requests us to be as prompt as possible in our response. With a view to meet as near as possible this object, notice is given that all the reports to me, tendering companies, will be carefully filed until the 18th December proximo: on that day, if no more than ten companies have been reported, all will be accepted. If more than ten companies have been reported, the ten required will be selected, so as to give to each military division in the State, (reference being had to population,) an equal number of companies. Each company accepted, will be notified of such acceptance, as soon as possible after the 18th December, and it is earnestly hoped that none will march towards the place of rendezvous till so notified. Commanders are strictly enjoined not to report till their companies are full according to the requisition. Reports will be received as on the personal honor of the commander, and should any make a false answer (which is not anticipated) it must not be viewed a hardship if such are entirely excluded.

Deeply sympathising with the patriotic soldiers who were disappointed in getting into the first regiment from this State, it affords me the liveliest pleasure to congratulate them on the favorable opportunity of entering their country's service—an opportunity which I know they will eagerly embrace: for, if others have gained immortal honors, there are yet laurels to be won, bright as ever decked a warrior's brow.

Attention is called to the whole of the letter of Secretary Marcy, but special notice should be taken that companies are to consist of not less than sixty-four nor more than eighty privates, excluding of course non-commissioned as well as commissioned officers and musicians.

As the regiment will not be mustered into the service of the United States, until it shall have completed its organization by the election of its officers, a commissioned officer in the militia of this State, will be despatched to the place of rendezvous with orders to take the command until such organization is completed, or until he is relieved by an officer of the United States army.

It will be seen that officers of the quartermaster and subsistence departments of the regular army are to be stationed at Vicksburg with funds to pay the necessary expenses.

Executive Chamber, Nov. 27, 1846.

A. G. BROWN.

WAR DEPARTMENT, }
November 16, 1846. }

SIR: I am instructed by the President to request that you will cause to be raised in the State of Mississippi, and organize at the earliest practicable period, for service during the *war with Mexico*, unless sooner discharged, one regiment of infantry, which, as soon as organized, will be mustered into the service of the United States.

The regiment will consist of

FIELD AND STAFF.

One Colonel,
One Lieut. Colonel,
One Major,
One Adjutant (a Lieutenant of one of the companies, but not in addition.)

NON-COMMISSIONED STAFF.

One Sergeant Major,
One Quarter Master Sergeant,
Two principal Musicians.

Ten companies, each of which to consist of

One Captain,
One First Lieutenant,
Two Second Lieutenants,
Four Sergeants,
Four Corporals,
Two Musicians, and
Eighty Privates.

Should the number of privates, on being mustered, not fall below sixty-four effective men in a company, it will be received,

Vicksburg is designated as the place of rendezvous for the several companies, as fast as they shall be organized, and where they may be further organized into a regiment. The regiment will be inspected and mustered into service by an officer or officers of the United States Army, who will, in every case, be instructed to receive no man who is in years apparently over forty-five, or under eighteen, or who is not of physical strength and vigor. To this end the inspector will be accompanied by a medical officer of the army, and the volunteer will be submitted to his examination.

It is respectfully suggested that public notice of these requirements will prevent much disappointment to the zealous and patriotic citizens of your State, who may be disposed to volunteer.

By the enclosed copy of an act authorising the President to call for volunteers, it will be perceived that all the field and company officers with volunteers taken into the service of the United States, are to be appointed and commissioned, or such as have been appointed and commissioned in accordance with the laws of the State whence they are taken; and I would suggest the extreme importance to the public service, that the officers for the above regiment be judiciously selected.

It may be proper to remark, that the law provides for the clothing (in money) and subsistence of the non-commissioned officers, musicians and privates of volunteers, who are received into the service of the United States.

In respect to clothing, the law requires that the volunteers shall furnish their own clothing, for which purpose it allows to each non-commissioned officer, musician and private, three dollars and fifty cents per month, during the time he shall be in the service of the United States. In order that the volunteers who shall be mustered into service under this requisition, may be enabled to provide themselves with good and sufficient clothing, the commutation allowed for six months (twenty-one dollars,) will be advanced to each non-commissioned officer, musician and private, after being mustered into service, but only with the express condition that the volunteer has already furnished himself with six months' clothing; this fact to be certified to the paymaster by the captain of the company, or that the amount thus advanced, shall be applied under the supervision of his captain, to the object contemplated by law.—In this latter case, the advanced commutation for clothing, will be paid on the captain's certificate that he is satisfied it will be so applied.

In respect to subsistence before arriving at the place of rendezvous, and for traveling home from the place of discharge, the allowance is fifty cents for every twenty miles distance.

The President requests that you will be as prompt as possible in the arrangement of this whole matter, in order that the volunteers may be ready for immediate service.

Officers of the quartermaster and subsistence department, will

be immediately ordered to the place of rendezvous, with funds to defray the necessary expenses which may be incurred.

Very respectfully, your ob't serv't,

W. L. MARCY,

Secretary of War.

His Excellency, A. G. BROWN,

Governor of Mississippi,

Jackson, Mississippi.

EXECUTIVE CHAMBER, }
Jackson, 12th December, 1846. }

Hon. WM. L. MARCY, Secretary of War, Washington:

SIR: Your letter calling on Mississippi for one regiment of infantry, to serve during the war with Mexico, was received on the 27th ultimo; on the same day I issued a proclamation, a copy of which is inclosed. At first I supposed there would be no difficulty in getting the requisite number of companies, *notwithstanding the uncertain period at which they would be discharged.* The first appearance of disinclination to enter the service *during the war*, was supposed by me to be superficial, but I now apprehend it has sunk so deep into the public mind, that it will require some time to get up the regiment. There seems to be a general disposition to volunteer for one year, but our young men are slow to volunteer for a time which they say may be lengthened to one, two or even five years. It is this uncertainty attending the subject, which deters them from volunteering. Should the regiment not be full on the 18th inst.—of which I now have but little hopes—it is my intention to issue a second proclamation, fixing on the first of January, as a limit for receiving reports. In the meantime, allow me to suggest that you fix a limit, say 12 months, to the term of service, this would relieve all apprehension, and enable me to supply the regiment without difficulty or delay. Should the regiment be filled under your letter of the 16th inst., there will be no occasion to use the authority to receive twelve months volunteers, and if it should not, your answer may arrive in time for me to act promptly, when it is found impracticable to get up the regiment under the first order, or to serve during the war.

Very respectfully, your ob't servant,

A. G. BROWN.

PROCLAMATION By Albert G. Brown, Governor of the State of Mississippi.

EXECUTIVE CHAMBER, }
Jackson, Miss., July 29, 1847. }

The President of the United States has authorized the acceptance of a battalion of volunteer riflemen from Mississippi. The subjoined correspondence will show the circumstances under which the President granted the authority, and the service which the battalion is expected to perform. No appeal is made to the chivalry of the State. The patriotic fires which were kindled by the first blast of the war trumpet have not gone out. Authority has been asked and has been given for five companies of riflemen, organized in a separate battalion, to join their countrymen in arms under the command of the heroic General Scott, to aid in conquering a peace with the Mexican nation. Notice is therefore given, that the first five companies organized according to the terms stated by the Secretary of War, and reported to me after the 23d day of August next, will be accepted. A day will be appointed immediately after the fifth company is reported, for a general rendezvous at Vicksburg, of which timely notice will be given. Companies are cautioned against marching to the rendezvous until ordered to do so. Persons desirous of volunteering may be assured that they will be forwarded without delay to the seat of war, and that every possible means will be used to make them as comfortable as possible.

A. G. BROWN.

WAR DEPARTMENT, }
July 17, 1847. }

SIR:—The President having authorized the acceptance of the battalion of volunteer riflemen from your State, referred to in the enclosed correspondence, your Excellency is requested to cause them to be organized with the least practicable delay, to serve during the war with Mexico, unless sooner discharged.

The battalion will consist of—

- One Lieutenant Colonel,
- One Adjutant, being one of the subalterns of companies,
- One Sergeant Major,
- One Quartermaster Sergeant,

One Principal Musician, and
 Five Companies, each to consist of
 One Captain,
 One First Lieutenant,
 Two Second Lieutenants,
 Four Sergeants,
 Four Corporals,
 Two Musicians, and from
 Eighty to one hundred Privates.

The restrictions and requirements in other respects will be the same as those specified in the requisition of this department of the 10th November last. The companies will rendezvous at Vicksburg, where they will be organized into a battalion and be mustered into the service by an officer of the United States army.

I have the honor to be, very respectfully,

Your obedient servant,

W. L. MARCY, Secretary of War.

His Excellency Albert G. Brown,

Governor of Mississippi, Jackson, Miss.

WARRENTON, MISSISSIPPI, }
 June 29, 1847. }

Honl. W. L. Marcy, Secretary of War:—

SIR:—Several companies have been raised in this State, composed partly of the men of the regiment I commanded in Mexico. Applications have been made to me for information as to the mode by which they can be received into General Taylor's army, and obtain transportation thither. The greater part of them prefer to serve as mounted men: they are willing to engage for the war, and if authority were given, I have no doubt would soon fill up the incomplete regiment called from Texas. I believe it would require but a short time to raise another rifle regiment to take the place of that lately disbanded, if this be desirable. Those who have spoken to me, attach great importance to the difference between volunteers as originally called out, and the organization provided for those who, after the expiration of their twelve months term should re-engage, because the first class have the right of electing their own officers whenever vacations occur.

Please inform me whether companies, or a battalion, or a regiment of riflemen will be received; if so, will they be allowed to go out as mounted men, or will they be received as first, under the act of May 13, 1846.

Very respectfully, your most ob't serv't,

(Signed,) JEFFERSON DAVIS.

WAR DEPARTMENT, }
July 16th, 1847. }

SIR:—I am directed by the President to inform you, in reply to your letter of the 26th ultimo, that he will accept of such a battalion of riflemen as you suggest, to serve during the war, to be raised in the State of Mississippi. You indicate the employment of them under Major General Taylor, but it is probable that the more active operations will be with the column under the command of Maj. Gen. Scott, and their services may be required in connection with that column. Presuming that they will prefer the most active service, and that a different destination from that mentioned by you, will not impede the raising of it, I shall send forthwith a request to the Governor to aid in the organization thereof.

In regard to your suggestion that the battalion should be mounted, I would remark that the mounted force already called out, is deemed to be sufficient for the service which may be required of that description of force, and it is not now proper to add to the number.

Very respectfully, your obedient servant,

W. L. MARCY, Secretary of War.

Col. Jefferson Davis, Warrenton, Miss.

ALBERT G. BROWN, Governor of the State of Mississippi.

EXECUTIVE CHAMBER, }
Jackson, Miss., 24th August, 1847. }

The 23d day of this month was the time appointed by me in a proclamation bearing date 29th July, for completing the five companies of volunteer riflemen, to compose a battalion lately called for by the President from this State. The time is passed, and but one company has been reported (the Chickasaw Heroes, Capt. W.

M. Keyes) this company has been accepted under the authority contained in the subjoined letter from the Secretary of War, and ordered to rendezvous at Vicksburg, on Monday the 13th day of September. By that time, it is confidently anticipated, that the counties comprising the 1st and 2d military divisions, commanded by Major Generals Fox and Brandon, will furnish one company; those of the 3d division, commanded by Major General Duffield, one company; those of the 4th division, commanded by Major General Hemmingway, one company; those of the 5th division, commanded by Major General Bradford, one company; and it is expected that these officers will superintend the organization of the companies in their respective commands, and have them at Vicksburg by the 13th September, or as soon thereafter as possible, not delaying beyond the 25th. The reasons for assigning but one company to the 1st and 2d military divisions jointly, are first: that the population is sparse in most of the counties in that division; second, that Capt. Clark and Lieut. Govenreaux have lately been recruiting there for the 2d Mississippi regiment; third, that as but four companies are wanted and no time is to be lost in obtaining them, it is best to ask them from those counties where, on account of the density of population, they can be furnished with the least delay.

The idea went abroad that a requisition for a single battalion was so light a matter that no effort was necessary to fill it. Remote counties feared they could not get in, those near at hand had already furnished their quota of men, and did not wish to be in the way of more distant counties. The result has been as above stated. I cannot doubt but that the battalion will be speedily raised; and since it is found necessary to make a little effort for that purpose, every patriot will feel called upon to do his duty.

A. G. BROWN.

WAR DEPARTMENT, }
August 10, 1847. }

SIR:—In answer to your letter of the 30th ultimo, I have the honor to inform you that the companies referred to in the requisition of this department of the 17th of July, may be received and mustered separately as each is raised and organised. They will afterwards be further organised into a battalion, should the number

of companies raised be sufficient to justify such a formation; otherwise it will be necessary to consolidate the companies with some other battalion already organised. I hope, however, there will be no occasion for this, and that the requisition for the five companies will be fully responded to.

I have the honor to be, very respectfully, your ob't serv't.

W. L. MARCY, Sec'y of War.

His Excellency, A. G. BROWN,

Governor of Mississippi, Jackson, Miss.

PROCLAMATION to the people of Mississippi.

Again, and for the last time, I invoke the brave men of Mississippi to respond to the recent call of the Executive of the United States, for a battalion of riflemen. It is known to us all that only one company has yet been mustered into service, but any number of companies less than five will be sent on.

I am well aware of the combined causes which have defeated the organization of the battalion. Shortly after the call reached me, the news of a negociation for peace arrived, and it was supposed that even Mexican fatuity could not but see that longer resistance would avail that nation nothing. All prospects of peace vanished, and enough is now known of the councils of our government to authorise the statement, that the war will be vigorously prosecuted, until those who so often have refused the profered olive branch, shall themselves ask for peace.

The fevers at Vicksburg, New Orleans and Vera Cruz, excited just apprehensions in the minds of many. Before the time that the battalion will be ready to leave the rendezvous near Vicksburg, health will have been restored to those cities. The disappointment felt by numbers that riflemen were called for rather than mounted men, is another cause for delay in filling up the battalion. The deeds of the first regiment had so electrified the whole country, as to make it scarcely wonderful that the officers of the general government adopting the universal belief in the invincibility of the Mississippi riflemen, desired Gen. Scott to have with him a band of these gallant men, with that weapon in their hands, which we may now call the peculiar arms of our state. The patriotism of the people will cause them to overlook this disappointment.

The battalion now to be raised will join Gen. Scott's conquering column, and, from its character as a battalion of rifles or light troops, must have glorious opportunities of winning imperishable renown.

I, now in capacity of Executive of the State, implore her to save herself from the pain of failing to meet this call. Let every man who wishes to join the American army, in the old city of the Montezumas, answer to this summons. Go by twos, by fives, by tens, by twenties, to the rendezvous, near Vicksburg, a safe and healthy rendezvous where there is no danger of disease, six miles from the town. If one single man, fired with a noble ardor to fight under his country's flag, can find no comrade, let him go alone. The government pays an allowance of fifty cents for every twenty miles of travel, to every soldier who joins. This alone will carry the soldier who bears a cheerful heart to his destination, and he will there be well provided, and our patriotic citizens whose family obligations detain them at home, will always aid the way-faring, well disposed volunteer.

I enjoin upon every officer commissioned in the militia of this State, and especially the Colonels, to be active in finding out and forwarding all who wish to volunteer. If they love the flag they have sworn to love and cherish, let them be diligent in this service.

Parties of men, no matter how small, need not wait for companies to be formed in their counties. Let them proceed to Vicksburg, in small or large parties, and there they can be formed into companies, every man voting in the election of officers. One man will be received if he come.

I shall despatch gentlemen who will have the proper credentials, to various parts of the State to aid in raising and forwarding men.

And now to every citizen of the State, let me say you have an interest in the success of this effort; let it not be said or written, that the chivalry of Mississippi was called to the field at a time of imminent peril to our arms and did not obey the call. Never were men so much needed, never did more animating scenes of battle and triumph invite the soldier's sword. Our sister states have responded with promptness and with enthusiastic fervor to the calls made upon them. Mississippi, not less patriotic than they, and with as much at stake of honor, must not, will not be the

first to refuse. To the rescue then of the fair fame of the State !
 March all who can to the glorious banner of your country, now
 proudly towering above all its dangers, and fight for the noble old
 standard. I invite the attention of all to the following extract of a
 letter just received from the gallant General Brooke, of the army,
 in regard to this battalion : "It is to be hoped that from the pre-
 sent situation of the American army in Mexico, a patriotic impulse
 may be given to the volunteers in speedily advancing to the aid of
 their brethren in arms."

A. G. BROWN.

Executive Chamber, October 11, 1841.

GENERAL LAND OFFICE, }
 June 1st, 1847. }

SIR: The three papers, or lists, which you left with the Secre-
 tary of the Treasury, and which were referred to me yesterday, by
 that officer, for examination, showing the number of acres selected
 by the State, under act of 4th September, 1841, and for schools,
 with the request to be informed,

1st what quantity of land in the whole, has been selected under
 said act of 4th September, 1841? 2d, how many acres are free
 from objection? and 3d, the quantity suspended and the cause of
 suspension, have been considered, and I find, on examination, that
 owing to the *numerous* interests found to conflict with the selections
 under said act, that it will require considerable time to make the
 examination, and prepare the statement. I have therefore the hon-
 or to inform you, that as soon as a report can be prepared, it will
 be transmitted to you at Jackson, Mississippi; that portion having
 reference to schools, will be responded to in another letter.

I have the honor to be, very respectfully,

Your obedient servant,

RICHARD M. YOUNG,

Commissioner.

His Excellency, A. G. BROWN,

Governor of Mississippi.

STATE SELECTIONS.

CIRCULAR TO THE UNITED STATES REGISTERS.

GENERAL LAND OFFICE,

August 6th, 1847.

SIR: Herewith you will receive a copy of the 8th section of the act of the 4th September, 1841, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights."

In order to facilitate the business of State selections, under this act, I have to draw your attention to the following:

1st. The whole area to which the State of Mississippi is entitled under this law, is 500,000 acres.

2d. The act requires the selections to be "in parcels conformably to sectional divisions and subdivisions, of not less than three hundred and twenty acres in any one location," &c. Under this requirement, a selection may include a *whole* section, or a *fractional* section, or an island containing 320 acres, more or less; provided that the State, where the quantity is less than the prescribed number of acres, will agree to accept the same, for and in lieu of a tract containing the full quantity of 320 acres, but not otherwise; or it may embrace the *East, West, North, or South*, half of a section, or two *adjoining quarters* of different sections, or any number even of the smallest legal subdivisions of different sections; *Provided*, the tracts selected *adjoin* each other, and form *compact* parcels, containing *together* not less than 320 acres.

3d. The selections must be *based* upon the official township plats of the public surveys, which are *required* to be *approved* by the Surveyor General, and on file in the local land office *at the time of filing* the selection.

4th. The law allows selections to be made upon public lands whether *offered* or *unoffered*; but no State selection is admissible upon any land to which a *pre-emption* or *other valid* claim shall be legally established, nor on any land which "is or may be reserved from sale by any law of Congress, or proclamation of the President of the United States," nor upon any tract which is *reserved* or *withdrawn* from market for any purpose whatever.

5th. The Selecting Agent of the State, should file in your office an authenticated copy of his letter of appointment, or other satis-

factory evidence of his authority, and it is important and necessary that he should make such careful and thorough preliminary examinations as will enable him to select lands to which there may exist no valid claim by pre-emption or otherwise, and to avoid the embarrassments and delays consequent upon such conflicts, *you* will also examine the plats, records and papers in your office, *before* the lists of lands so selected are filed, and see that such selections are in all respects free from such objections.

6th. If, notwithstanding such precaution, the State shall hereafter select lands which shall be found to be interfered with by any prior and better claim or claims, the selection to the *whole* extent of such (claim or claims) will of course be null and void; and if such valid claim or claims shall *only* extend to a part of the selection, by the rejection of which, the *remaining* portion or portions shall be reduced to *one* or *more detached* bodies, below the quantity of 320 acres, the part or parts *not* interfered with may nevertheless be confirmed; provided that the State will accept *each detached parcel*, which may thus be rendered to *less* than 320, as equivalent to, and in lieu of the full quantity of 320 acres; otherwise, such parts or parcels will be rejected, on the ground of the land not forming the *compact* parcel required by law.

7th. That the action of this office may be uniform, it is hereby determined, from the date of this circular, that when selections are reported to this office, which are found to conflict with declaratory statements of pre-emptors, the approval of that part of the selection *thus covered* by such statement, *together* with such portion as may not be interfered with, but which would be less than 320 acres, if the *part covered* by the declaration should be *confirmed* to the claimant, will be suspended to await the *final* result of the pre-emption claims, which if not established at the expiration of the period allowed by law, the selection of the State will then be approved.

8th. Should a tract of land be selected by the State, and rejected on the ground of *not* forming the complete parcel required by law, it is *no bar* to its being *re-selected*, provided other land, *not* interfered with, is selected in connection with it, so as to form the *compact* parcel of 320 acres, or more, as the case may be. Should such re-selections be made, they are required to be embraced in an *entire* new list, bearing the number of the series *at the time* of such re-selection.

Herewith you will receive the form of a list, to be used for selections. This form requires the *date* to be given *when the list is filed* in your office; such date being regarded as the date of selection, so that in the event of a pre-emption or other conflict, the question as to priority of right may be properly settled. The lists should bear a regular series of numbers, from No. 1, and should be signed by the agent. If the list is regular and complete, you will enter up the selections on your books, and mark them on the plats, sign the official certificate as to the correctness of the list of selections, and transmit the same to this office, in order that it may be submitted to the Secretary of the Treasury, for his approval.

The law of Congress allows no commission on this business.

You are requested to acknowledge the receipt of this circular, which is designed to embrace all the material principles in previous circulars in reference to this subject, and to be your rule of action in relation to this business in future.

Very respectfully, your ob't serv't,

RICHARD M. YOUNG,

Commissioner.

NOTE.—The States designated in the 1st section of the act of Congress, approved September 4th, 1841, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," are *Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas and Michigan*.

Act 4th September, 1841, Section 8. *And be it further enacted*, That there shall be granted to such States specified in the first section of this act, five hundred thousand acres of land, for purposes of internal improvement; *Provided*, that to each of the said States which has already received grants for said purposes, there is hereby granted no more than a quantity of land which shall, together with the amount such State has already received as aforesaid, make five hundred thousand acres; the selections in all of the said States to be made within their limits, respectively, in such manner as the Legislature thereof shall direct, and located in parcels, conformably to sectional divisions and subdivisions, of not less than three hundred and twenty acres in any one location, on any public land, except such as is or may be reserved from sale by any law of Congress, or proclamation of the President of the United States, which

said locations may be made at any time after the lands of the United States in said States, respectively, shall have (been) surveyed according to existing laws; and there shall be, and hereby is granted to each new State that shall hereafter be admitted into the Union, upon such admission, so much land as, including such quantity as may have been granted to such State before its admission, and while under a territorial government, for purposes of internal improvement, as aforesaid, as shall make five hundred thousand acres of land, to be selected and located as aforesaid.

An act to authorize the Governors of the States of Illinois, Arkansas and Missouri, to cause to be selected the lands therein mentioned.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the 8th section of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emptions, approved September 4th, one thousand eight hundred and forty-one, as provides that the selections of the grants of land, made to the several States therein mentioned, for the purposes of internal improvement, shall be made, respectively, in such manner as the Legislatures thereof shall direct, is so far modified as to authorize Governors of the States of Illinois, Arkansas and Missouri, to cause the selections to be made for these States, without the necessity of convening the Legislature thereof for that purpose."

Approved, March 19, 1842.

EXECUTIVE CHAMBER, }
Jackson Mi., Feb'y. 8, 1847. }

Sir:—I take the liberty of enclosing the opinion of the attorney general on a subject in which the State is deeply interested, and to which I wish respectfully to call your attention. These trespassers on the public lands, I am informed on good authority, are doing great damage to the State lands proper, and to the Chickasaw school lands, and as there is no other means of arresting them in their depredations than by an appeal to the law, you will, I trust, excuse me for calling you special attention to the subject, to the end that you may exercise your judicial authority in

the premises. I venture to suggest that you could aid the persons charged with the protection of the public timber by instructing grand juries in the counties where these lands lie, as to what the law is—and what it is their duty to do, where persons are charged on sufficient evidence with cutting down and carrying off the public timber.

You will not suppose that I intend, in addressing you this note, to do any thing more than call your attention to an evil, of which the State has just cause to complain, leaving you of course to deal with the subject as your sense of duty may dictate.

Very respectfully, your ob't. serv't.

A. G. BROWN.

Hon. GEO. COALTER, Judge 3d Judicial District.

A copy of the above letter has been addressed to Francis M. Rogers, Judge of the 6th judicial circuit, and Hugh R. Miller, Judge of the 7th judicial circuit.

—
GENERAL LAND OFFICE, }
Sept. 25, 1847. }

SIR:—By reference to the enclosed copies of letters to the register at Grenada, from this office, under date 19th June last, and his reply 3d July, you will perceive, that several of the *Chickasaw school locations*, embraced in list No. 1, received from the Grenada office, in August, 1844, are reported as having been made in the month of May, 1842, which was prior to the passage of the act (13th June, 1842) under which the State of Mississippi was authorised to select

You will please cause the necessary examination to be made and inform me, whether the report of the agent of the State, (which is presumed to be in the office of the executive) corresponds with regard to the dates of these locations with the one on file in the register's office.

With much respect, your ob't. serv't.

RICHARD M. YOUNG, Com'r.

His Excellency A. G. BROWN,
Governor of Mississippi, Jackson.

EXECUTIVE CHAMBER, }
 Jackson, Mi., Oct. 13, 1847. }

Hon. Richard M. Young,

Commissioner General Land Office, Washington city:

SIR—I have the honor to inform you, that the lands named in your favor of Sept. 25, are included in bill No. 1, Chickasaw school selections, and appear from the records in this office to have been located prior to June 13, 1842. They were registered for the State July 20, 1844. You do not mention the reason for making the enquiry contained in yours of the 25th ult., but I suppose it may be on account of some other claimant having set up a right to the land. If this be the case, I take this position in behalf of the State: It may be true, that the location was bad at the very time of making it, for want of authority; but if the State chose to adopt it afterwards, when, by the act 13th June, 1842, she had authority to make the location, the defect was cured, and the location from that moment became valid against all parties claiming under a subsequently acquired right. As, for instance, Sec. 3, T. 29, R. 2, W., appears to have been located May 20th, 1842. Admitting the State had no right to make such a location at that time, she acquired the right June 13, 1842. If after that, she chose to claim the land, she could do so, and her title become good without another actual location; at least against claimants acquiring title after June 13. She did so claim the land. She adopted, as it were, the location made May 20th; made formal application for the same, and it was registered in her name, and I claim for her a better title than any one acquired subsequently to June 13, 1842. On that day she had the right to acquire title, and she exercised it.

Yours respectfully,

A. G. BROWN.

PANOLA, Dec. 22d, 1847.

Dear Sir:—I expected to make a report to you on the subject of the location of the State and School lands, but expected to do so at the office. I have spoken to Mr. Henly, to make out a list showing the rejected claims, with a list of the claimants, and also a list of the suspended, and the causes of suspension, but the office is closed,

and I fear will remain so for some time. I expect to be at Jackson by the 15th, and then make the report.

I have had laid down, 35,000 acres or thereabout, and would have had more down, but the Register said we certainly had plenty.

The 5,000 that were rejected of the school locations, have been reconsidered and now stand suspended. I would prefer their rejection, as it would hasten the decision of the school locations and have that matter settled, as the legislature will surely do something this session on the subject of the disposal of all the lands.

I hope the members of Congress will urge the settlement of the State and School locations, that all may be ready for sale by the time the legislature may appoint.

On the subject of the timber we shall make a report. We have done but little, and can do but little unless we had power from the government; then we could stop all, and by that means break up the rafting. There are three men that I shall sue for 260 logs; the men are free holders, and good, and the money can be made, they are swearing vengeance against us. Mr. Bryan has been among them and has 5,000 tiers in *hock*. I should be glad to see you, but you will have left before I get down.

Very respectfully, your ob't serv't,

JOHN RAYBURN.

His Excellency, A. G. Brown, Jackson, Mississippi.

EXECUTIVE CHAMBER, }
Jackson, Miss. Feb. 8, 1847. }

Sir :—You are appointed by me an agent on the part of the State, to supervise the public lands and to prevent trespasses on the same. You will learn from the enclosed opinion of the Attorney General, what the law is in regard to the business of carrying off the public timber, and you will proceed as in any other case of larceny, to execute the law should you find timber cut down and lying on the lands belonging to the State. You will take possession of it as the property of the State, and on account of its perishable character, you will sell it and report to me the amount of the sale. If you ascertain who cut down the timber, you will prosecute him or them in a civil action for this trespass, or cause him to be bound

over to answer criminally as may seem best; but if the person who cut down the timber or any one else removes it from the land, you will furnish the District Attorney of your district with the names of such persons, together with the evidence of their guilt; or if such person be within the county where the timber was taken, you will take a warrant as in any other case of larceny, and have such persons committed or bound over to court. It will be your duty to pursue persons carrying off timber, and as the agent of the State have them arrested wherever they may be found in this or any other State, and in such cases to be provided with proof to identify the timber, and when it is delivered into your possession as the State's agent, you will sell it. You will act generally as in any other case when a larceny has been committed.

Very respectfully, your ob't serv't,

A. G. BROWN.

Gen. JOHN RAYBURN, Panola county, Miss.

A copy of the above letter has been sent to William Brian as an agent of the State, to supervise the public lands in conjunction with John Rayburn.

EXECUTIVE CHAMBER, }
Jackson, Miss., 8th Feb, 1847. }

Sir :—The enclosed opinion of the Attorney General is sent to you with a view to direct your attention to the subject embraced in it. The cutting down and carrying off the timber from the State lands may appear at first blush a small business to complain of; but conducted as it is at present in the counties bordering on the Mississippi river above Vicksburg, as well as in the counties of Sunflower, Tallahatchie, Panola, and several others, it is not only vastly profitable to those employed in it, but exceedingly injurious to the State at large, and to the Chickasaw school fund.

Much of the land is only valuable for the timber, and has been located with a view to secure it for the State. In several instances reported to me, these lands have been almost entirely denuded, and in one case it is reported that two thousand dollars worth of timber has been taken from a single section. My object has not been to prevent actual settlers from going on the lands with a *bona fide* intention of cultivating the soil, but to arrest the *lawless trespasser* who goes only for the timber.

The agents of the State are instructed to furnish you with the names of the trespassers, and the evidence of their guilt.

Very respectfully, your obedient servant,

A. G. BROWN.

FULTON ANDERSON,

District Attorney, 3rd Judicial District, Miss.

A copy of the above letter has been addressed to each Septimus Caldwell, District Attorney of the sixth Judicial District, and John W. Thompson, District Attorney for the seventh Judicial District of the State of Mississippi.

—
GENERAL LAND OFFICE, }
June 3d, 1847. }

Sir:—On the subject of Chickasaw school lands within the State of Mississippi, a memorandum in reference to which has been received at this office from you through the Hon. Secretary of the Treasury, I have to state, that as yet final action has not been had upon the selections for the purpose stated, heretofore reported from the Grenada and Columbus districts, in consequence of numerous conflicting interests—contingent locations under the 14th Art., Choctaw Treaty of 1830, and pre-empt. claims preferred under the different laws.

A digest however having been received from the Indian office, showing the valid locations under the treaty referred to, and the pre-empt. claims conflicting with the said school selections having been recently investigated—some of which have been approved, others rejected, and a portion suspended and further proof required. This office will without delay, proceed to examine the said school selections, and notify you of the result of such examination.

I would here remark that but *three* lists of selections have been received from the *Grenada* office, under the act of 13th June, 1842, and not *five* as would appear from your memorandum, the aggregate of the selections reported from *Grenada* being about 190,500 acres, (which is nearly 16,000 acres more than the State is entitled to, the amount being 174,555 44-100, and not 324,071 74-100 as would seem from the memorandum referred to.

With great respect, your ob't serv't,

RICHARD M. YOUNG, Commissioner.

His Excellency A. G. Brown, Jackson, Miss.

GENERAL LAND OFFICE, }
August 12th, 1847. }

Sir :—I have the honor to enclose herewith a copy of a circular of instructions to the United States Registers, dated 6th August, 1847, and a form of a list which has been adopted in relation to the selections under the 8th Sec. of the Act of the 4th Sept., 1841.

The selections under said act, which are now on file in this office, and which have been suspended for various causes, are in preparation (as far as it is practicable) for being submitted to the Secretary of the Treasury for approval, and as soon as his action shall have been had thereon, a report will be transmitted to you.

I have the honor to be very respectfully,

your obedient servant,

RICHARD M. YOUNG, Commissioner.

His Excellency, A. G. Brown,

Governor of Mississippi, Jackson, Mississippi.

—

EXECUTIVE CHAMBER, }
City of Jackson, Miss., February 21, 1846. }

Hon. R. J. Walker, Sec. Treasury U. S.

SIR :—The legislature having passed an act to apply the two per cent fund to the construction of a Railroad from Brandon to the Alabama line, as contemplated by the act of Congress, relinquishing the fund, I address you on two points, relating to the payment of the money, 1st, you are aware that a large amount of U. S. Treasury warrants (some 96,000 dollars) received by the late defaulting State Treasurer of this State, (R. S. Graves,) from the United States are now in our State Treasury. These warrants are made payable to R. S. Graves, and on that account cannot be used. My object is to get an order from you to have these warrants cashed at New Orleans; 2d, you will please inform me whether the remaining portion of the fund can be paid at New Orleans; and 3rd, if it will be necessary for me to come in person or send an agent to Washington to receipt for and receive the money. For special reasons, I should prefer receiving the money in New Orleans.

Yours very truly,

A. G. BROWN.

TREASURY DEPARTMENT, }
April 15th, 1846. }

Sir:—In compliance with the request contained in your letter of the 30th ultimo, a warrant has this day issued in your favor for \$146,823 75, being the balance due the State of Mississippi on account of the two per cent. fund, as far as the same has been adjusted by the accounting officers. A draft payable at New Orleans will be transmitted you by the Treasurer, as soon as the warrant shall pass the necessary official forms.

Very respectfully, your ob't serv't,

R. J. WALKER,

Secretary of the Treasury.

His Excellency A. G. BROWN,

Governor of Mississippi, Jackson Miss.

TREASURY DEPARTMENT, }
April 10, 1846. }

Sir:—Besides the balance of the two per cent. fund, for which a warrant was issued in your favor, on the 15th instant, for \$146,823 75, of which you was advised by my letter of that date, the accounting officers report that there is due the State of Mississippi on settlement of the three per cent. fund, the sum of \$5,490 11. This amount will be paid to such officer or agent of the State as may be lawfully empowered to receive it, on transmitting hither an exemplification of the act containing the necessary authority.

Very respectfully your ob't serv't,

R. J. WALKER,

Secretary of the Treasury.

His Excellency, A. G. BROWN,

Governor of Mississippi, Jackson.

EXECUTIVE CHAMBER, }
Jackson, Miss., 5th March, 1846. }

HON. R. J. WALKER, Sec'y. Treasury, U. S.

Sir:—In conformity with the resolution hereto appended, I hereby apply to you, as Secretary of the Treasury of the United States, for the sum of six thousand one hundred and fifty eight dollars and twenty-two cents, paid out by the State of Mississippi on

account of troops called into service under the requisition of Major General Gaines, in the year 1836. The money was certainly paid by this State, and it is just as certain that no part of it has ever been returned by the United States Treasury. I ask you whether you have power to pay it, and if not, what course shall I adopt to get it.

Yours very truly,

A. G. BROWN.

A resolution in relation to the reception of money by the State of Mississippi from the United States :

Whereas, in 1836, Major General Gaines, of the United States army, made a requisition on the State of Mississippi for troops ; and whereas troops were furnished under said requisition by the State ; and whereas the sum of six thousand one hundred and fifty-eight dollars and twenty-two cents, remains unpaid by the United States, being expenses in part of said requisition ; and whereas the State of Mississippi has paid said sum as far back as the year 1839, and has a right to be reimbursed said sum of money by the United States, therefore,

Be it resolved by the Legislature of the State of Mississippi, That the Governor of this State is hereby authorised to call upon the government of the United States for said sum of money, and to give acquittance therefor when paid, and to cause the sum to be placed in the treasury of the State of Mississippi.

Approved 5th March, 1846.

EXECUTIVE CHAMBER, }
Jackson, Miss., 26th May, 1846. }

HON. JACOB THOMPSON :

DEAR SIR:—Touching the matter of this State's claim on the federal government for advances made to the United States volunteers under Gen. Gains' requisition in 1836, I have to inform you that the facts seem to be these, as I gather them from my predecessor, Gov. Lynch. When the troops were called out, there was (as is usual in such cases) no money provided to pay the necessary expenses. Governor Lynch raised several thousand dollars on his own individual credit and used it in defraying these expenses. Some of the accounts were not technically correct. The quarter master general (Col. Talbert) not understanding the regu-

lations of the United States as perfectly perhaps as he should, a government agent (U. S. officer) was sent out after the war to settle the accounts. The officer, for various technical reasons, suspended \$6,000 and upwards of these accounts. Governor Lynch's quarter master, Talbert, *now dead*, gave his papers to this government agent or officer, under a promise that they should be laid before the Secretary of War; and there the matter has rested ever since so far as the United States is concerned. When the legislature met, Gov. Lynch made his situation known, and an appropriation was made of six thousand one hundred dollars, to reimburse him. The governor drew the money from the treasury, and here the matter has lain for nearly ten years. The State now asks to have the money returned. These are all the facts within my knowledge.

Very respectfully,

A. G. BROWN.

—
EXECUTIVE CHAMBER, }
Jackson, Miss., July 31, 1846. }

HON. JACOB THOMPSON, M. C.

SIR:—The receipt of your letter dated 8th July, is acknowledged, though it did not reach me till the 28th instant. The paper inclosed by you from Mr. Hagner, informs me that the department has decided against the claims of the State for supplies furnished the volunteers from this State under Gen. Gaines' requisition in the year 1836. Unless further information is furnished, I can only say that I have forwarded all the information I can get. The name of the officer who came here in the year 1836 or 1837, to settle with the volunteers, I have not been able to learn. Gov. Lynch has forgotten it, and Col. Talbot, the State quarter master, who transacted the business with him, is long since dead. I suppose the books of the War Department, for the year 1836 7, will show who was the officer sent to Mississippi to pay off volunteers at the time referred to.

I know nothing of the transaction personally, and therefore only speak from information derived from others. There is not in the executive office a vestige of evidence on the subject. Should I find on enquiry any thing more on this subject, it will be communicated without delay.

Very respectfully your ob't serv't

A. G. BROWN.

EXECUTIVE CHAMBER, }
 Jackson, Miss., 4th Dec., 1847. }

Messrs. J. W. Chalmers, Jesse Speight, J. Thompson, R. W. Roberts, and Stephen Adams—

Gentlemen: The State of Mississippi has a just claim against the United States for \$6,158 22-100—money paid by her February 13, 1837, on account of volunteer troops called from this State into the service of the United States, by Maj. Genl. Gaines, in 1836. The legislature last winter directed me to take the necessary steps to have the demand settled. I accordingly had the account presented to the proper accounting officer, and he rejected it; an appeal was taken by my direction to the Secretary of the Treasury, who confirmed the opinion of the Auditor. These rejections were made on the ground of informality in the accounts. The facts being that the officer of the United States Army, Lieut. Cross, sent here in 1836 to adjust them, having been entrusted with the originals under a promise that he would in that year transmit them to the War Department for adjustment and final settlement, and that they have not since been found; and that the State advanced the money to relieve the Governor, who had advanced the amount out of his private funds, the papers on file at Washington show conclusively that the State paid the money, and there is no pretence that any part of it has ever been returned. In the absence of our delegation, the matter was entrusted by me to the superintendence of P. R. Fendall, Esq., with whom I hope you will find it convenient to consult, and who will place you in possession of all the papers. As the matter now stands, the State can only get justice from Congress, a denial of which, I take leave to say, will not be the most effectual way of encouraging the States to make similar advances in times of trouble.

Very respectfully,

A. G. BROWN.

EXECUTIVE CHAMBER, }
 Jackson Miss., 4th Aug. 1846. }

P. R. Fendall, Esq.,

DEAR SIR:—I have to-day sent to Peter Hagner, Esq., Third Auditor Treasury, certain documents exhibiting the grounds on

which Mississippi bases a claim against the United States for \$6,128 22-100. The act of the Legislature authorizing me to settle the claim, has been previously forwarded; it passed in January or February of the present year, and will be found in the laws of Mississippi 1846, in State or Treasury Department, Congressional Library, or in the Patent office. If you will call on Auditor Hagner, examine the papers and procure his decision, you shall be compensated for your trouble. If the decision of Mr. Hagner is against the State, I should like to have it reviewed by the Secretary of the Treasury, provided you think it worth the trouble.—The papers sent by me to Mr. H. to-day, will at once put you in possession of all the facts so far as they are known to me.

Very respectfully, your obedient servant,

A. G. BROWN.

—
EXECUTIVE CHAMBER, }
Jackson Miss., 4th Aug. 1846. }

Peter Hagner, Esq., Third Auditor Treasury Department, Washington City:—

SIR—The Hon. Jacob Thompson has inclosed me a letter of yours, addressed to him, under date July 3d, 1846, touching a matter of settlement in which this State is concerned, for expenses incurred in the year 1836, and paid in 1837, on account of volunteer troops called into the service of the United States, under the requisition of Maj. Genl. E. P. Gaines. That you may more perfectly understand the subject, I send you a copy of the House Journal Mississippi Legislature 1837. On page 48, you will find the subject brought to the attention of the Legislature by the Governor; and on the next page you will find that Lieut. Cross was the officer sent here by the War Department, to settle these accounts, and the reasons given why it was not done. On pages 130–31, you will find the report of the committee to whom the subject was referred by the House of Representatives Mississippi Legislature. I inclose you a certified copy of the law passed in pursuance of this report, and also a certified copy of the Governor's voucher filed in the Auditor's office, when he drew the warrant in pursuance of the law referred to. James Talbot, State Quartermaster, is long since dead. I learn from ex-Governor Charles Lynch that the separate

small vouchers which made up the aggregate sum of \$6,158 22-100, were sent to Lieut. Cross, at New Orleans, in conformity with the request of that officer, and were never heard of afterwards. That the money was paid by the State is beyond controversy, and that no part of it has ever been returned; is alike incontrovertible. I shall be pleased to hear from you in reply.

Very respectfully, your obedient servant,

A. G. BROWN.

EXECUTIVE CHAMBER, }
Jackson Miss., 4th Dec. 1846. }

P. R. Fendall, Esq.,

SIR—Your letter of the 22d November, with its inclosures, has been received. It seems to me that you have exhausted every other remedy, and that you must now appeal to Congress for a settlement of the just demand of Mississippi against the Government. I have therefore written to our delegation in Congress, informing them that our State has a claim against the United States, for \$6,158 22, with interest from February 13, 1837, and that you were furnished with the papers and authority from me to represent the claim. The nature of the indebtedness is fully explained, and a reference made to the papers on file for a more perfect understanding of it. I have also taken the liberty to say that you will give any legal question which it may involve, your attention, and have requested them to confer with you.

Should the Secretary of War decide in our favor, (which I do not anticipate,) this course will be unnecessary. The President will, I have no doubt, refuse to interfere, and therefore do not advise any appeal to him.

The State is clearly entitled to interest, but if we can get the principal, the State will not object to lose the interest.

Very respectfully, your obedient serv't,

A. G. BROWN.

STATE OF MAINE.

SECRETARY'S OFFICE,
Augusta, June 19, 1847. }

SIR: In compliance with the direction contained in the fifth section of "Resolves relating to the construction of a rail road from Lake Michigan to the Pacific coast," passed by the Legislature of Maine on the 10th instant, the Governor through this department transmits to you a copy of said resolves, together with assurances of distinguished consideration.

I have the honor to be, very respectfully,

Your most obedient servant,

EZRA B. FRENCH,

Secretary of State.

STATE OF MAINE.

Resolves relating to the construction of a rail road from Lake Michigan to the Pacific coast.

Resolved, That a rail road from Lake Michigan to the Pacific coast is highly desirable, and if practicable, should be constructed. Such a work would open a vast and unbroken wilderness for improvement and cultivation—would unite and bind together the people of the Atlantic and Pacific slopes, by connecting their interests and associations—would extend our commerce, advance the well-fare of our manufactnres, and elevate the dignity of man.

Resolved, That in our opinion the best, if not the only plan by which so stupendous a work can be accomplished, is to appropriate and set apart the public lands along the line of the same, and to pledge the proceeds of sale to that object, thus making the sale and settlement of these lands subservient to this great enterprise.

Resolved, That the plan of Asa Whitney, Esq. of New York, as explained by himself, meets our cordial approval, and we concur in recommending it.

Resolved, That our Senators and Representatives in Congress be requested, by their votes and acts to promote said object, by granting the right and power to Asa Whitney, Esq., to construct said road if practicable, and to pledge the public lands along the line of said work, to erect the same in such manner as will promote and secure the rights and interests of the whole Union, and best serve to accomplish the desired results.

Resolved, That the Governor cause copies of these resolutions

to be furnished to the Governors of each of the States respectively, and also to each of our Senators and Representatives in Congress.

In House of Representatives, June 8th, 1847; read and passed.

H. D. McLELLAN, Speaker.

In Senate June 10th, 1847; read and passed.

JOHN HODGDON, President.

June 14, 1847. Approved.

JOHN W. DANA.

SECRETARY'S OFFICE, Augusta, June 15, 1847.

I hereby certify that the foregoing is a true copy of the original deposited in this office.

EZRA B. FRENCH,

Secretary of State.

STATE OF CONNECTICUT.

GENERAL ASSEMBLY, }
May Session, 1847. }

WHEREAS, The construction of a rail road across the continent of North America would make the United States the great thoroughfare between Europe and the populous and wealthy empires of Asia—would greatly facilitate our own intercourse with these regions—would tend to consolidate our Union, and to give a fresh impulse to our great agricultural, manufacturing and commercial interests; AND WHEREAS, so stupendous a work can only be accomplished under the patronage of the General Government, and the public lands are a fund peculiarly appropriate for defraying the expense of such an undertaking, as a small portion of them would furnish the necessary means, and the value of the remainder would be greatly enhanced thereby; AND WHEREAS, in our opinion, the plan of Mr. Asa Whitney of New York, in its great outlines, is the only practicable scheme for the accomplishment of this grand undertaking; therefore,

1. *Resolved by this Assembly*, That we cordially approve of the great features of the plan of Mr. Whitney, for the construction of a rail road from Lake Michigan to the Pacific Ocean, from the avails of a portion of the public lands, and we earnestly recommend the measure to the favorable consideration of the General Government.

2. *Resolved*, That the Senators and Representatives of this

State in Congress, be, and they are hereby requested to give this plan their prompt attention and support.

3. *Resolved*, That his Excellency the Governor, be, and he is hereby requested to transmit a copy of these resolutions to the Executive of each State in the Union, and a like copy to the Senators and members of the House of Representatives from this State in the Congress of the United States.

Senate, May 25th, 1847; passed.

J. H. HOLCOMB, Clerk.

House of Representatives, May 25th, 1847; passed.

J. BACON, Clerk.

Approved May 26th, 1847.

C. BISSELL.

OFFICE SECRETARY OF STATE, }
Hartford, July 30th, 1847. }

I hereby certify that the above is a true copy of record in this office.

JOHN B. ROBERTSON,

Secretary of State.

STATE OF CONNECTICUT.

GENERAL ASSEMBLY, }
May Session, 1847. }

WHEREAS, In consequence of the admission of Texas into the Union, and of the order of the President, without the authority of the constitution or the law, directing troops to march into territory in the occupation of Mexico, a state of war exists between the United States and Mexico, conducted at a great expense of life and treasure, and which may result in the acquisition of a large portion of territory, hereafter to be made States of this Union, therefore,

Resolved, That if any territory shall hereafter be acquired by the United States or annexed thereto, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision whereby slavery or involuntary servitude, except as a punishment for crime, shall be forever excluded from the territory acquired or annexed.

Resolved, That the Senators and Representatives in Congress

from this State, be requested to use their best efforts to carry into effect the views expressed in the foregoing resolution.

Senate, June 16th, 1847; passed.

J. H. HOLCOMB, Clerk.

House of Representatives, June 24, 1847; passed.

F. BACON, Clerk.

Approved June 24, 1847.

C. BISSELL.

Resolved, That his Excellency the Governor, be, and he is hereby requested to transmit to the executives of the several states of the Union, requesting that the same may be submitted to the Legislatures of the several states, copies of the preamble and resolutions on slavery passed by this assembly, and that he also be requested to transmit the same to the Senators and Representatives of this State in the Congress of the United States.

Senate, June 24, 1847; passed.

J. H. HOLCOMB, Clerk,

House of Representatives, June 24, 1847; passed.

F. BACON, Clerk.

OFFICE OF SECRETARY OF STATE, }
Hartford, July 30, 1847. }

I hereby certify that the above is a true copy of record in this office.

JOHN B. ROBERTSON,
Secretary of State.

EXECUTIVE CHAMBER, }
Jackson Miss., 15th April, 1847. }

His Excellency William Smith, Governor of Virginia:—

SIR—I have the honor to acknowledge the receipt of your letter covering the resolutions of the General Assembly of Virginia, on the subject of slavery, and requesting me to lay them before the Legislature of Mississippi—a request which I shall, with great cheerfulness, comply when the Legislature meets—this will not be till January, 1848. It affords me pleasure to say in advance that the resolutions will meet a hearty response from both political parties in this State. Firm in their tone—elevated in sentiment—dignified in their expression, and reflecting clearly and cogently the feelings of every southern man on the delicate and deeply interesting subject of which they treat, they will, I sincerely trust,

check our northern friends in their mad career, and cause them to reflect before they force the south to the last extremity. When abolition first disturbed the quiet of the south, our people gave way to passion, and in terms fierce and bitter denounced the fanaticism which thus sought to disturb their domestic tranquility. No appeal was deemed necessary at that time—no argument was resorted to because in the first moment of indignant excitement the south felt that she could not discuss such a question without admitting the right of the north to call in question the propriety of her institutions, which she was indisposed to do. She made no appeal to what she deemed an *excess of fanaticism*. But things are changed; the movement in New York and Pennsylvania, in and out of Congress, the evident pandering of presidential aspirants to the favor of abolition, has dissipated the first feeling of confident expectation that this, like other *heresies*, would expire of its own excesses, and the feeling of irritation has subsided into one of calm and dispassionate determination, first, to exhaust all the resources of reason and argument in exhorting our northern brethren *to let us alone* on this subject; and if these fail—if the spirit of abolition invade the councils of the nation, prompting the strong party to wrest from the weak the fruits of its toil—its property—the peaceable possession of which was guaranteed by the constitution, then, deplorable as may be the consequences, we will feel prepared, having exhausted every fraternal remedy, to become *enemies*, and defend our rights with those means which God and nature has placed in our hands. If other men *will* force this sad catastrophe upon us, it is our duty to watch its approach and be prepared to meet it. The south must be united—the south will be united in the next presidential election, if this whole question is not unqualifiedly withdrawn from the contest by a pledge *categorically* made to abstain from all disturbance or interference on the question of slavery during the presidential term. *No man* who sympathises with the sentiments put forth in the “Wilmot Proviso” ought to have, or in my opinion, can get a single electoral vote from the southern States. *I know he cannot get a vote from Mississippi*. We may not be in favor of acquiring slave territory; we may be in favor of establishing the Rio Grande as the western boundary up to parallel 30° and thence to the Pacific; but we will not submit to be told that slave territory is not to be acquired on this or on the other side

of that line. On this subject there is no division of sentiment in Mississippi; it is common ground on which whigs and democrats cordially unite. The period is approaching when we shall be called upon to make a selection of a presidential candidate. It is impossible to see what four years may bring forth. Mighty revolutions in England, France, and other countries, have taken place in much less time; and we are now at that point from which it may be disastrous, in the last degree, to make one step forward without first having prepared the ground. I am opposed therefore, and in this I think I but echo the common sentiment in Mississippi, to going into convention with our northern brethren without a prior distinct understanding that the candidate selected must not only be sound on this subject, but beyond the taint of suspicion. If an abolitionist, even in the modified form of a "Wilmot Proviso" man, is elevated to the Presidency, (which may God in his mercy prevent,) the south owes it to her domestic quiet, to the conduct which such an event may force her to adopt, to have no part or lot in the election of such a President. I am quite sure that our northern brethren will yet do us the justice to yield to our reasonable demands. We have not asked money nor patronage—we have not asked for partial legislation *to protect our labor*—we have only asked to *be let alone*—a request so reasonable in itself and so easily granted, will surely not be denied—if it is, we owe it to ourselves to take care that the denial shall not come through a President of our own choosing. Be future events what they may, Mississippi will stand by Virginia in maintaining her recently adopted resolutions, as she has always stood by her in support of her resolutions of '99.

Very respectfully, your obedient servant,

A. G. BROWN.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, IN GENERAL ASSEMBLY,

JANUARY SESSION, A. D. 1847.

Resolved by the General Assembly of the State of Rhode Island and Providence Plantations, That the policy of affording adequate protection to the capital and labor employed in the production of domestic manufactures, has at all times been assisted by the legisla-

tures of this State, and received the undivided and hearty concurrence of their constituents.

Resolved, That the tariff on imports, enacted by Congress, August 1842, was well conceived and adapted to afford such adequate protection, and at the same time to secure to the people of the United States, an ample revenue for all the legitimate purposes of government, without imposing any unequal burthen on any class, or interest in any portion of the community affected by its provisions.

Resolved, That the repeal of the said tariff at the late session of Congress, after the fullest experience of its beneficent operation, when the government had involved itself in an unnecessary and most expensive contest with Mexico, was highly inexpedient and unjust, and manifested a disregard for the pressing necessities of the government, and the credit of the country, no less criminal and unwise, than the blow intended to be inflicted by it on our most essential interests.

Resolved, That in the opinion of this Assembly, the exigencies of the government in the present unprecedented crisis, as well as the first principles of political economy, required that the tariff of 1842, which was adequately protective in its provisions, and yielded an annual income of twenty-seven millions of dollars to be re-enacted by Congress; the tariff of 1846, being even in the estimation of its friends, insufficient to meet the present and prospective demands on the National Treasury.

Resolved, That to revive the exploded system of collecting the United States revenue by means of a Sub-treasury, which exacts for all dues to the government, payment in specie at a time when the banking institutions of the States are, with scarcely an exception, in a sound condition, is absurd in theory, and oppressive in practice, and even if founded in correct principles, is, in the present state of things manifestly beyond the power of the government to enforce.

Resolved, That while we yield to no State in the Union, in our condemnation of the system of slavery, which the errors of past ages have transmitted to us, and will cheerfully co-operate in any just and constitutional measures to terminate it, we are not insensible to the difficulties of the position of our southern brethren, nor disinclined to fulfil in its true spirit every obligation and duty

imposed upon us by the terms of our compact, as embodied in the Constitution of the United States. But submitting ourselves implicitly to the requirements of that instrument, we insist upon a like compliance by other parties to said compact, with all its material stipulations expressed or implied. We protest therefore, against the acquisition of territory, by conquest or otherwise, beyond the present limits of the United States, for the purpose of establishing therein slaveholding States, as deranging the balance of political power once so happily established between our confederated communities, and as manifestly in violation of the spirit and intent of the Constitution. We protest against the introduction of slaves upon any terms, into any territory of the United States, whether of old or recent acquisition, where slavery does not exist, or has not immemorially existed. And we hold, that so far from aiming to extend an institution like slavery over a wider territory than is now pervaded by it, it is clearly the interest, no less than the duty of the slaveholding States to circumscribe its operation within their limits, and to provide, if possible, the means of its gradual 'extinguishment whenever public sentiment will permit it.

Resolved, That while we acknowledge with just pride, the gallant conduct of Generals Taylor and Worth, and the forces under their command, in storming the formidable redoubts and fortified streets of Monterey, and have in the operations of our Navy at Tobasco, the new glory which illustrates a cherished Rhode Island name, we cannot but lament the waste of treasure and life which has hitherto attended a contest waged to no valuable end, which, with ordinary discretion on the part of our Executive, might have been avoided with honor, and consistently with a firm determination to vindicate by all constitutional means our national claims and rights.

Resolved, That holding these opinions of the origin of our war with Mexico, and deeming a war of conquest inconsistent with the genius of our institutions, and destructive of their freedom and permanency, we instruct our Senators, and request our Representatives in Congress, to press upon the Executive Department on all proper occasions, the necessity of frank and equitable overtures to that Republic for the re-establishment of peace, and to favor in their own bodies, all acts and declarations which may promote that end, consistently with a due observance of the rights, claims and reputation of the United States.

Resolved, That his Excellency, the Governor be, and he is hereby requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress, to be laid before their respective houses ; and also copies to the Executive departments of the several States.

(True copy.)

HENRY BOWEN, Sec. of State.

State of Rhode Island and Providence Plantations :

EXECUTIVE DEPARTMENT,)
January, 1847.)

Sir :—In compliance with a resolution of the General Assembly of this State, I have the honor to forward to you the accompanying documents.

With much respect, your ob't servant,

BYRON DIRNEW.

His Excellency, A. G. BROWN,

Governor of Mississippi, Jackson, Miss.

Resolutions relative to slavery and the Mexican war.

Whereas, in our judgment, the existing war with Mexico was not founded in any imperative necessity, such as may excuse or justify a christian nation for resorting to arms, and has now manifestly become an offensive war, against a neighboring republic; and whereas, we have just grounds for anticipating that the territory, which has been, or may be occupied or conquered, will become slave territory, and as such claim admission into the Union; and whereas, its admission as such, and with a mixed population, degraded by ignorance and superstition, and allied to us neither in interests, character, nor language, will endanger the harmony, welfare and perpetuity of the Union; therefore, be it

Resolved, by the Senate and House of Representatives, That the honor and best interests of the nation will be subserved by a speedy end of the war with Mexico, and a settlement of all matters in dispute by arbitration or negotiation.

Resolved, That Vermont will not give its countenance, aid or assent, to the admission into the Federal Union of any new state

whose constitution tolerates slavery, and does hereby appeal to each of her sister States to concur, in its own name, in this declaration.

Resolved, That the senators and representatives in congress from Vermont, will conform to the hearty wishes of their constituents, by earnestly supporting the principles set forth in the foregoing preamble and resolutions, and in using all other just, effectual, and constitutional means to avert the tremendous evils of slavery, and resist its encroachments upon the rights and interests of the non-slaveholding States.

Resolved, That his excellency the governor be requested to forward a copy of these resolutions to the governor of each State in the Union, and to our senators and representatives in congress, under the seal of the State, and his signature of approval,

Approved, November 3, 1846.

[L.S.]

HORACE EATON.

Joint Resolutions, introduced by Gen. E. L. Edwards, of the House of Representatives, and adopted by the General Assembly of the State of Missouri.

Whereas, the policy of the government of the United States, is to rely mainly on the citizen soldier for protection of her national honor and national rights; and, whereas, the equality of man is a fundamental principle in our government, and it is against the spirit of our free institutions to build up a system of privileged aristocracy, by the fostering care of government, among any class of her citizens, and at the expense of the people thereof; and, whereas, by law, and the regulations of the army of the United States, an invidious distinction is made between the officers of the army and soldiers thereof, inconsistent with our republican form of government. Therefore,

Resolved, by the General Assembly of the State of Missouri, as follows:

1st. That our senators in congress be instructed, and our representatives requested, to use their best exertions to procure such alteration and modification in the laws and regulations of the army of the United States, as will abolish the great distinction now

existing between the officers and soldiers thereof, and place them on an equality consistent with our free institutions, as far as practicable.

2nd. That, as one means of producing such equality, they use their best exertions to procure the increase of the pay of the soldier to a fair and reasonable compensation for their services, and that the pay of the officers of the army be reduced to a fair and reasonable compensation for their services.

3d. That such other alterations and modifications be made as will place the officer and soldier as near upon an equality as is consistent with military duty in time of war.

4th. That permanent provision be made by law, for the widow and children of such officers and soldiers as die or are killed while in service in the army of the United States, during the war; *Provided*, that no preference shall be given or distinction made, between the widow and orphan of the officer and those of the common soldier.

5th. That the Secretary of State be requested to forward a copy of these resolutions to each of our senators and representatives in congress, and to the executive of each State, with the request that the same be laid before their respective legislatures.

Approved, February 2, 1847.

EXECUTIVE CHAMBER, }
Jackson, Mi., Sept. 17, 1846. }

Hon. Isham Moody:

SIR—Your letter of the 3d inst. has been received. The special act directing the suit against the Newton and Lauderdale turnpike company to be brought, designates the district attorney as the proper person to bring it. If the legislature had contemplated the necessity for any additional counsel, it would doubtless, when specially legislating on this subject, have provided for the employment of such counsel. The people of the eastern circuit have selected Mr. Wood as a gentleman competent to discharge the duties of district attorney, and I do not doubt that he is. If he desires assistance in the case against the "Company," and will so intimate,

it shall be furnished him. But the people and the legislature have both thought he could get along by himself.

Very respectfully, your obedient servant,

A. G. BROWN.

N. B. I have written to Mr. Wood, submitting the matter of employing additional counsel to his discretion, and leaving it with him to employ any one he pleases.

EXECUTIVE CHAMBER, }
Jackson, 17th September, 1846. }

Geo. Wood, Esq., District Attorney:

SIR:—Judge Moody, the representative from Clark, wrote to me, under date the 3d inst., suggesting that you would need assistance in the case of the State *vs.* Newton and Lauderdale Turnpike company. The special act directing the suit to be brought, seems not to have contemplated the employment of additional counsel; but if you need assistance, you must have it.

Mr. Graybill was suggested by Judge Moody, but it is left to your discretion to associate with you, Mr. Graybill or any other lawyer you may select. I am not empowered to employ counsel in this case, and must, therefore, say frankly to the attorney selected by you, that he must look to the legislature for his fee, which will be paid out of the money recovered, I have no doubt.

Very respectfully, your ob't servant,

A. G. BROWN.

EXECUTIVE CHAMBER, }
Jackson, Miss., 10th August, 1847. }

Col. JEFF'N DAVIS, Warrenton, Miss.:

SIR: I have the honor to enclose you a commission as United States Senator, to fill a vacancy occasioned by the death of the late Gen. Speight. The people have experienced deep and sincere regret in the mournful event which deprived them of a faithful friend and long tried public servant. In this feeling I have participated to the fullest extent. The event has given us all an opportunity, which we embrace with melancholy pleasure, of testifying our high appreciation of your valuable services as a member

of the twenty-ninth Congress, and your more valuable and distinguished services at the head of the 1st Mississippi Regiment in Mexico. The people will never cease to remember with pride and gratitude, that to you, sir, and the brave Mississippians under your command, is our State indebted for honors as imperishable as the soil on which you won them; honor, which shall last as long as chivalry is respected, or valor has a place in the hearts of men.—

• They expect me to offer you this commission, and it gives me sincere pleasure to gratify that expectation. It is the tribute which a grateful people, speaking through their representative, pays to noble deeds and distinguished patriotism. In returning to the arena of politics, you may have it in your power to counsel your government in regard to a people you have aided in conquering, whose weakness and follies you have learned to appreciate from personal observation, and to whom I am sure you are willing to give an honorable peace, whenever they and their rulers shall have the good sense to accept it.

Very respectfully, your ob't serv't,

A. G. BROWN.

His Excellency, A. BROWN, Governor &c.:

DEAR SIR: We have examined the digest of the Mississippi Reports compiled by W. C. Smedes, Esq., one of the State Reporters, and which includes Walker's, Freeman's, Howard's, Smedes & Marshall's Chancery and Law volumes of Smedes & Marshall's Reports, and it affords us pleasure to express our opinion of the accuracy and faithfulness of the work.

It is not merely a compilation of the indexes of the different volumes, but is a complete digest of the opinions of the court, made by the author, expressed in his own language, in which full justice is done to the court, and the substance of their decisions clearly and fully stated. We give the work our decided commendation.

W. L. SHARKEY,

ALEX. M. CLAYTON,

J. S. B. THACHER.

Jackson, November 14th, 1847.

COLLECTOR'S OFFICE, }
 Mobile, 2d December, 1847. }

SIR: At the last session of Congress, an appropriation was made of \$12,000, for building a light house at Biloxi, in your State.— The United States government has purchased in this village, one acre of land for the purpose, from John Fayard (now in possession,) immediately on the shore of the Gulf of Mexico, and due north of the centre of the pass running up to the village, on the western side of Deer Island. I have been charged with the duty of procuring from the State of Mississippi, the passage of an act ceding jurisdiction of the site selected, to the United States, and must request of you to recommend the immediate passage of such an act in your annual, or in a special message to the Legislature.†

The importance of prompt action on the subject, arises from the fact, that by law the department is inhibited from erecting the necessary building, previous to the cession.

The Secretary has it in contemplation to erect a cast iron light house of a very lofty and beautiful form, at this place. Be so good as to instruct your Secretary of State to send me a certified copy of the bill as soon as passed.

I am, with high consideration,

Your obedient servant,

JAMES E. SAUNDERS,

Collector at Mobile.

His Excellency, A. G. BROWN,

Governor of Mississippi.

On motion of Mr. Cushman,

Resolved, That twenty-five hundred copies of the Governor's Message be printed, and that the message be made the order of the day for the committee of the whole on to-morrow the 5th instant at 12 o'clock.

Mr. Steger offered the following joint resolution:

Resolved, (with the concurrence of the Senate) That the two houses convene in the Representative Hall on Thursday the 6th instant, at 12 o'clock, M., for the purpose of opening and publishing the returns of election for Governor of the State at the late November election.

Mr. Dilworth moved that, that portion of the Auditor's report preceding the tabular statement be read,

Which failing,

On motion of Mr. Liddell,

The House adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 5, 1848.

The House met pursuant to adjournment,

And its deliberations opened with prayer by the Rev. Joshua T. Russell.

The Chair announced to the House the appointment of the following standing committees:

On Elections—H. G. Johnston, S. W. Echols, B. Bond, D. Bynum, O. Y. Neely, J. K. Hill, J. P. Foree.

On Ways and Means—R. C. Hancock, E. Abbott, Samuel Noble, C. L. Thomas, Thomas M. Nash, Eli Stewart, William Weathersby.

On Revisal and Unfinished Business—J. C. Hinds, George Torry, A. H. Metcalf, J. M. Dampier, C. C. Campbell, William Thames, S. Moore.

On Propositions and Grievances—George Huie, H. J. Thomas, Thomas F. Wilson, John West, S. C. Harrington, M. Suratt, John McInnis.

On the Judiciary—John F. Cushman, J. Whitmore, J. W. Campbell, H. F. Simrall, L. E. Houston, D. W. Hurst, W. Brooke.

On Internal Improvements—James Brown, Patrick Henry, G. F. Neill, Francis J. Lynch, R. H. Byrn, E. Mason, John Davis.

On County Boundaries—George B. Wilds, James Weir, E. B. Saunders, James F. Walker, W. C. Cypert.

On Military Affairs—A. B. Wooldridge, T. B. Slade, S. S. Hogue, S. W. Godfrey, C. D. Clayton.

On Education—T. J. Catchings, A. B. Dilworth, Samuel Ford, Robert Stanton, L. B. Ellis.

JOINT STANDING COMMITTEES.

On Claims—J. T. Connell, Wm. Hall, J. J. Steger, Jesse Brumfield, John T. Fortson.

On Accounts—James Whitfield, A. M. West, Seth C. Cox, J. J. Williams, William Melton.

On Enrolled Bills—James C. Alderson, J. G. Hamer, B. T. Cleveland, Daniel B. Nailor, George H. Foote.

On the Penitentiary—James Liddell, Richard Valentine, Henry Duke, John Holden, John B. Toulme.

The Clerk then proceeded to call the counties alphabetically, when

Mr. Huie presented the petition of sundry citizens of Choctaw county, praying the passage of a law for the benefit of Pinckney McKinney of said county; which,

On his motion,

Was referred to a committee of three, consisting of the following: Messrs. Huie, Steele and Nash.

Mr. Whitfield presented sundry claims,

Which were referred to the committee on claims.

Mr. Abbott presented the petition of William Cady and Julia E. Cady, praying the Legislature to change the names of sundry persons therein named; which,

On his motion,

Was referred to a select committee of three, consisting of Messrs. Abbott, Steger, and Harrington.

Mr. Harrington presented the petition of sundry citizens of Oktibbeha county, praying the passage of a law for the relief of Edward Martin, of said county; which,

On his motion,

Was referred to a select committee of three, composed of Messrs Harrington, Weathersby and Godfrey.

Mr. Echols offered the following resolution, to-wit:

Resolved, That the clergymen attending the Representative Hall, for the purpose of prayer, attend at half-after 9 o'clock, A. M.

The question being taken on the adoption of the resolution,
Was decided in the negative.

On motion of Mr. Hinds,

Resolved, That a committee of three be appointed by the Speaker, to examine the documents accompanying the Governor's Message, and select such as they may think necessary for publication, and report the same to this house.

The Chair appointed on said resolution Messrs. Hinds, Thomas, of Marshall, and Connell.

Mr. Nash presented the following joint resolution:

Resolved, (the Senate concurring) That a joint select committee of three on the part of the House, and on the part of the Senate, be appointed, to revise the joint rules of the two houses.

On motion of Mr. Nash,

The rule requiring joint resolutions to lie one day on the table, was suspended,

And the resolution adopted.

The Chair appointed on the part of the House, Messrs. Nash, Wooldridge and Henry.

On motion of Mr. Hancock,

Resolved, That Col. Goldsborough have the use of this Hall on Thursday at 7 o'clock P. M. for the purpose of delivering a lecture on military, with literary and scientific education.

Mr. Weathersby offered the following joint resolution:

Resolved, (the Senate concurring) That the Senate meet in the Representative Hall at 11 o'clock on Friday, the 7th instant, for the purpose of electing a Senator to the Congress of the United States, to fill the vacancy occasioned by the death of the Hon. Jesse Speight.

Mr. Wooldridge moved that the rule requiring joint resolutions to lay one day on the table, be suspended;

Which was lost.

On motion of Mr. Cypert,

Resolved by the House of Representatives, That the Auditor of Public Accounts be instructed to lay before the House, the amount of money paid on the account of the public printing, with the

amount paid for each item thereof, for the last two years.

Mr. Steger offered the following resolution:

Resolved, That the Door-keeper be instructed to procure three dozen chairs for the use of the Hall.

Mr. Metcalf moved the rejection of the resolution,

Which was decided in the negative by ayes and noes,

Which are as follows:

In the affirmative,

Messrs. Barden, Brooke, Duke, Dilworth, Echols, Foree, Foote of Tippah, Gatlin, Myers, Metcalf, Neely, Suratt, Stewart, Weir, West, of Holmes—15.

In the negative,

Mr. Speaker, Messrs. Abbott, Arnold, Alderson, Brumfield, Bynum, Bond, Brown, Cox, Clayton, Cushman, Cypert, Connell, Collier, Catchings, Cleveland, Campbell of Desoto, Campbell of Franklin, Davis, Dampier, Ellis, Fortson, Ford, Foote of Noxubee, Garrett, Godfrey, Hamer, Hinds, Houston, Harrington, Hall, Hurst, Holden, Hill, Hancock, Henry, Hogue, Huie, Johnston, Liddell, Lynch, McLaurin, McInnis, McWilliams, Melton, Moore, Noble, Nailor, Nash, Neill, Powell, Ray, Stanton, Sanders, Philips, Steger, Steele, Slade, Simrall, Smith of Bolivar, Toulme, Thomas of Marshall, Torry, Thomas of Yazoo, Thames, Valentine, Weathersby, Whitfield, White, Wilds, Whitmore, Wooldridge, Wilson, Williams, West of Wayne, Walker—74.

The question was then taken upon the adoption of the resolution, and decided in the affirmative.

A message from the Senate, by Mr. Tebo, their messenger, as follows, to wit:

MR. SPEAKER—I have been instructed to inform the House of Representatives, that the resolution from the House, inviting the concurrence of the Senate, in the resolution appointing Thursday the 6th instant to open and publish the returns of election for Governor of the State, at the late November election, has been concurred in with the following amendment, to wit:

Amendment:—"And for the further purpose of electing a State Printer, Keeper of the Capitol and Librarian,"

In which amendment, I am directed to desire the concurrence of the House of Representatives.

On motion of Mr. Steger,

H—23

The House concurred in the amendment by the Senate.

Mr. Campbell, (of Desoto,) offered the following resolution :

“Resolved, (the Senate concurring,) That the joint rules for the government of the two Houses, be so amended as to provide for a joint standing committee, composed of five on the part of the House, and on the part of the Senate, to be called the Committee on State and Federal relations,”

Which, by rule, lies one day on the table.

Mr. Harrington gave notice,

That, on to-morrow, he would ask leave to introduce a bill to amend the revenue act of 1846.

On motion of Mr. Connell,

Mr. Neill, of Carroll, was added to the committee on claims.

On motion of Mr. Metcalf,

Mr. Noble was added to the committee on claims.

On motion of Mr. Hamer,

Mr. Foote, (of Tippah,) was added to the committee on accounts.

A message from the Senate, by their Messenger, Mr. Tebo :

MR. SPEAKER—I am instructed by the Senate, to inform the House of Representatives, that the President has made the following announcement of joint standing committees, on the part of the Senate :

On Claims—R. H. Boone, Henry Gray, Benjamin Kennedy.

On Accounts—W. R. Cannon, T. J. Stewart, R. S. Greer, J. V. Hodges, D. C. Sharpe.

On Enrolled Bills—N. S. Price, A. W. Ramsay, E. M. Davis.

Joint Committee on Penitentiary—R. S. Greer, J. E. Harrison, W. A. Lake,

In which I am directed to desire the concurrence of the House of Representatives.

On motion of Mr. Hinds,

Mr. McWilliams was added to the committee on internal improvements.

On motion of Mr. Foote, (of Tippah,)

Mr. Gatlin was added to the committee on internal improvements.

The hour having arrived for the special order of the day,

The House resolved itself into a committee of the whole on the Governor's message—Mr. Whitfield in the chair.

After spending some time in considering the various portions of the message, the committee arose, reported that they had considered the message, and adopted the following resolutions referring the same, viz :

1st. Resolved, That so much of the Governor's message as relates to the Planters Bank bonds be referred to a select committee hereafter to be appointed.

2d. Resolved, That so much of the Governor's message as relates to the two per cent. fund and the southern rail road, be referred to the committee on internal improvements.

3d. Resolved, That so much of the Governor's message as refers to the 500,000 acres of land, granted to this State, by Congress, be referred to a joint select committee to consist of fifteen members on the part of the House, and ——— on the part of the Senate.

4th. Resolved, That so much of the Governor's message as relates to the Chickasaw school land, be referred to a select committee composed of one member from each of the counties of the Chickasaw cession.

5th. Resolved, That so much of the Governor's message as refers to the subject of Normal schools be referred to a joint select committee of five on the part of the House, and ——— on the part of the Senate.

6th. Resolved, That so much of the Governor's message as refers to common schools, be referred to the committee on education.

7th. Resolved, That so much of the Governor's message as relates to a lunatic insane asylum, be referred to a select committee hereafter to be appointed, consisting of five members.

8th. Resolved, That so much of the Governor's message as relates to the Penitentiary, be referred to the committee on the Penitentiary.

9th. Resolved, That so much of the Governor's message as relates to the statute punishing retailers of spirituous or vinous liquors, and burglary, be referred to the committee on the judiciary.

10th. Resolved, That so much of the Governor's message as relates to the mode of keeping the Auditor's books, be referred to the committee on accounts.

11th. Resolved, That so much of the Governor's message as refers to the public arms, be referred to the committee on the military.

12th. *Resolved*, That so much of the Governor's message as relates to the suit on the bonds of the Newton and Lauderdale Rail Road and Turnpike company, be referred to the judiciary committee.

13th. *Resolved*, That so much of the Governor's message as refers to the salaries of District Attorneys, be referred to a select committee of five members hereafter to be appointed.

14th. *Resolved*, That so much of the Governor's message as relates to claims against the United States for expenditures for the volunteers called for by Gen. Gaines in 1836, be referred to the committee on propositions and grievances.

15th. *Resolved*, That so much of the Governor's message as relates to the compilation of the Statutes of the State, and Digest of the State Reports, be referred to the committee on the judiciary.

16th. *Resolved*, That so much of the Governor's message as relates to the public buildings, be referred to the committee on public buildings hereafter to be raised.

17th. *Resolved*, That so much of the Governor's message as recommends to the Legislature, to present each discharged soldier, of the first regiment, his rifle and accoutrements, be referred to the committee on military affairs.

18th. *Resolved*, That so much of the Governor's message as refers to the public documents accompanying the message, be referred to the special committee on printing public documents, referred to in the message.

19th. *Resolved*, That so much of the Governor's message as relates to the vaccine depot, be referred to a select committee of five.

20th. *Resolved*. That so much of the Governor's message as relates to a lot of ground purchased by the United States, for the site of a light house, be referred to the standing committee of federal and state relations, hereafter to be raised.

21st. *Resolved*, That so much of the Governor's message as relates to the election returns on the bank amendment, be referred to the committee on elections.

22d. *Resolved*, That so much of the Governor's message as relates to the establishment of an institution for the blind, be referred to the committee on education.

23d. *Resolved*, That so much of the Governor's message as

relates to the payment of the salaries of officers without any special appropriation, be referred to the committee on the judiciary.

24th. Resolved, That so much of the message as relates to the Mississippi volunteers be referred to the military committee.

25th. Resolved, That so much of the Governor's message as relates to the admission of new states, and the acquisition of territory, be referred to the standing committee on state and federal relations, when raised.

On motion of Mr. Whitfield,

The report of the committee of the whole was received and agreed to, and the committee discharged from its further consideration.

A message from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I have been instructed to inform the House of Representatives, that the Senate has passed a bill with the following title:

A bill to be entitled an act to incorporate Chickasaw Lodge No. 24 of the Independent Order of Odd Fellows;

In which I am desired to request the concurrence of the House of Representatives.

The Senate have concurred in the resolution of the House, appointing a joint select committee of three on the part of the House, and——on the part of the Senate, to raise the joint rules governing the two Houses, and have appointed on the part of the Senate, Messrs. Alcorn and Pettus.

On motion of Mr. Suratt,

The House adjourned until 3 o'clock, P. M.

3 O'CLOCK, P. M.

The House met pursuant to adjournment.

The bill from the Senate, to be entitled "an act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows, was read the first time; and,

On motion of Mr. Cushman,

The rule was suspended, and the bill read a second and third time, forthwith, by its title, and passed;

Ordered that the title stand as stated.

Mr. Hinds gave notice, that he would, on Monday next, or on some future day thereafter, introduce a bill for the regulation of

cases of bastardy in this state, and also a bill regulating the practice of civil and criminal cases before justices' courts in this state.

Mr. Houston gave notice, that he would on to-morrow, introduce a bill to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows at Aberdeen.

Mr. Wilds gave notice, that he would, on Tuesday next or some day thereafter, introduce a bill to attach to the county of Sunflower a certain tract of country lying between the counties of Sunflower, Carroll, and Tallahatchie, that has never been embraced in any county.

On motion of Mr. Wooldridge,

Mr. Whitmore was added to the committee on military affairs.

On motion of Mr. Brooke,

Mr. West was added to the same committee.

On motion of Mr. Lynch,

Mr. Thames was added to the committee on internal improvements.

On motion of Mr. Connell,

Mr. Wooldridge was added to the committee on county boundaries.

On motion of Mr. Metcalf,

Mr. Ellis was added to the committee on internal improvements.

On motion of Mr. Hinds,

The resolution in relation to the joint rules for the government of the two Houses, offered by Mr. Campbell, of Desoto, so amending the same, as to provide for a joint standing committee, composed of five on the part of the House, and———on the part of the Senate, to be called the committee on state and federal relations, was called from the table, the rule suspended, and the resolution adopted.

Mr. Whitfield gave notice, that he would, on to-morrow, or some future day, ask leave to introduce a bill to be entitled

An act to dispose of the 500,000 acres of land, donated to this state by the general government, for internal improvements.

On motion of Mr. Hinds,

The House adjourned until to-morrow morning, 10 o'clock.

THURSDAY, JANUARY 6, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer by the Rev. Mr. Caldwell.

A message was received from the Senate, through their messenger, Mr. Tebo:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed a bill to be entitled

An act to extend the time of Holding the probate court in the county of Copiah;

In which I am directed to desire the concurrence of the House of Representatives.

The Chair presented the following communication from the Auditor of Public Accounts, to-wit:

AUDITOR'S OFFICE, January 6, 1848.

To the Hon. John J. McRae,

Speaker of the House of Representatives:

SIR: In obedience to the resolution of the House of Representatives of the 5th instant, instructing me to lay before the House the amount of money paid on account of Public Printing, with the amount paid for each item thereof, for the last two years, I have the honor to state that, it appears from the vouchers on file in this department, that there has been paid during the last two-years, on account of Public Printing, the sum of \$9,577 45. But on the contrary, there was refunded by Messrs. Price & Fall, on the 13th day of August, 1846, the sum of \$66, on account of an error for that amount, in a previous allowance to them.

The amount paid for each item of said printing will appear by reference to copies in detail herewith submitted, embracing pages from 1 to 9 inclusive, of the accounts upon which said warrants were drawn. All of which is respectfully submitted.

Your obedient servant,

GEO. T. SWANN,

Auditor of Public Accounts.

THE STATE OF MISSISSIPPI,

TO PRICE & FALL, Public Printers, Dr.

Feb. 1st. 1846.—For printing on letter sheets, Oregon

Resolutions.	-	-	-	\$10 00
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For advertising proclamation for apprehension of Templeton, - - - - -	7 50	
		17 50
Feb. 21.—For printing one ream of deeds for the use of the Auditor's office, - - -	\$30 00	
		30 00
Feb. 23.—For printing circular and law authoris- ing appointment of commissioners to take de- positions in other states, - - -	\$10 00	
		10 00
March 13.—For printing one form of Governor's message, 16 pages, 3,000 copies, -	\$182 40	
One hundred copies stitched and covered, -	7 50	
Printing by order of committee on internal im- provement, bill including Alabama bill on same subject, 200 copies, 12 pages, -	36 00	
200 copies list of counties with population an- nexed, including apportionment bill reported by committee, - - - - -	36 00	
1000 captions of acts for the Senate and House of Representatives, - - - - -	45 00	
		306 90
March 17.—For printing 500 copies of revenue act in pamphlet form, and folding and stitch- ing same, - - - - -	\$150 00	
		150 00
March 21.—For printing forms as required by the revenue law for assessment of personal pro- perty, - - - - -	30 00	
For printing bonds as required by the revenue law for assessment of personal property, -	30 00	
		60 00
March 31.—For advertising proclamation of Lee Templeton, - - - - -	7 20	
For advertising proclamation of Wych Davis, -	6 50	
For printing circular in relation to election of Vice Chancellor of southern district, -	7 50	
For advertising proclamation for same, -	14 00	
For printing and covering 1200 copies of com-		

mon school bill and supplements, .	120 00
For stitching and covering &c. 50 copies of revenue act, ...	2 50
	157 70
April 2.—For printing 1000 receipt warrants,	\$20 00
	20 00
April 13.—For printing House Journal of the last session of the Legislature, 842 pages plain, \$1 37½ page, ...	\$1157 75
Printing 45 pages figure work, \$2 06¼ page,	92 81
Printing 84 pages rule and figure, \$2 75 page,	231 00
Binding 500 copies 10 cts. each, ...	50 00
	1531 56
April 17.—For publishing in state paper laws of the last session of the Legislature, under terms of the act of said session, ...	66 00
	66 00
April 21.—For advertising per order of Secretary of State, proposals for distributing the laws,	\$16 50
For printing common school law, &c., ...	35 00
For 300 copies instructions to commissioner,	20 00
	71 50
May 4.—For printing Senate Journal of last ses- sion, 770 pages, at \$1 37½ page, ...	\$1058 75
90 pages of rule and figure work at \$2 75 page	247 50
12 pages of figure work at \$2 06¼ page,	24 75
Binding 500 copies at 10 cents per copy, ...	50 00
	1381 00
May 21.—For printing 2000 copies of acts of the last session of the Legislature, 608 pages, at \$2 80 per page, ...	\$1702 40
64 pages figure work at \$4 20 per page,	268 80
Binders bill 10 cents per copy, ...	200 00
	2171 20
June 1.—For publishing in Mississippian acts of 1846, ...	\$66 00
For making index on side notes to pamphlet acts,	30 00
For 8 additional pages of acts not charged,	33 00
	129 00

June 6.—For printing 2000 extras containing pro-		
clamation, &c.,	\$100 00	
For 350 extras addressed to the people,	25 00	
		125 00
June 22.—For advertising case of McCarroll,	\$10 00	
For advertising case of do	10 00	
For “ “ J. A. Cotton & O. D. Battle,	10 00	
For “ “ R. McRee & A S Clums heirs	10 00	
For “ “ L. C. Sawyers, heirs,	10 00	
For “ “ Miss. R R Co. 3 sqrs. 6 mos.	31 50	
For “ “ H. K. Moss, et al,	10 00	
For “ “ postponement of do	10 00	
For “ “ “ “	10 00	
For “ “ J. Caldwell's administrator,	10 00	
For “ “ J. B. Robeson, do	10 00	
For “ “ H. S. Foote,	10 00	
For “ “ J. Black,	10 00	
For “ “ W. Sutton,	10 00	
For “ “ S. M. Puckett,	10 00	
For fees of justice of the peace for making affi-		
davits in the above cases,	7 00	
		179 50
June 23.—For advertising case in chancery, Slade		
vs B. G. Mitchell,	\$10 00	
For proposals for repairs on Governor's House,	4 00	
		14 00
For publishing general orders, 15 squares 3 in-		
sertions,	18 00	
For proclamation of June 3d,	14 40	
For order in relation to appointment of Gen.		
Duffield of June 3d, 3 insertions,	2 40	
		34 80
June 27.—For publishing notice, vs Miss. R R Co		
6 months, 2 squares at 75 cents per square		
for first insertion and 37½ for each subsequent		
insertion,	\$20 25	
		20 25
June 30.—For printing captions of report book for		
commissioner of common schools, 16 squares		
at \$1 25,	\$20 00	
		20 00

July 1.—For preparing marginal notes and index to the laws of 1846 by request of Secretary of State, ...	\$30 90	
		30 00
August 13.—For advertising proclamation of Jas. McNeil, ...	\$7 50	
For printing bonds for quarter master, ...	15 00	
For advertising proclamation of W. Martin, ...	7 50	
For printing 1000 military commissions, ...	70 00	
		100 00
Sept. 5.—For advertising case State of Missis- sippi vs Miss. R R Co, 6 months, ...	\$30 25	
		30 25
Sept. 15.—For printing and binding warrants for Auditor of Public Accounts, ...	\$107 50	
		107 50
October—For printing in paper and pamphlet form and distribution of one thousand copies of the opinions of Attorney General in relation to common schools.	\$85 00	
		85 00
Oct. 24th.—For printing 250 proclamations in relation to congressional election, ...	\$20 00	
For advertising same in paper, ...	17 50	
For advertising proclamation in relation to Sam, a slave, ...	7 50	
		45 00
Oct. 31.—For printing bill in chancery, 100 copies, ...	\$15 00	
For printing 100 do.	15 00	
" " 100 do.	15 00	
" " 100 do.	15 00	
" Chancery notice, State vs. M. R. R. Co. 26 lines, 2 sqrs. and postponement, ...	19 95	
		79 95
November 11th.—Advertising proclamation special election to congress, 3 squares, 9 insertions, ...	\$10 80	
Proclamation for arrest of Wm. Wilson, and N. S. Gaylor, 4 squares, 6 insertions, ...	9 90	
Proclamation in relation to settlers on the public		

lands, 3 months, 3 squares.	16 42
	— 37 12
November 21st.—Advertising proclamation, “500 dollars reward,” 5 squares, 6 insertions,	\$12 37
1000 military commissions,	75 00
200 proclamations in letter form,	15 00
	—102 37
November 28th.—Printing proclamation in rela- tion to public lands,	\$10 00
Printing proclamation in relation to the war with Mexico,	70 00
Advertising proclamation in relation to Riley Moore,	7 50
	— 87 50
Dec. 12.—For advertisement in relation to value of sovereigns,	7 25
For printing circulars,	7 50
	— 14 75
December 15.—For printing 500 proclamations for raising a regiment of volunteers,	\$40 00
For inserting same in newspaper, 24 squares, 4 weeks,	38 65
	— 78 65
December 19.—For printing 1000 proclamations and inserting same in paper,	\$67 00
	— 67 00
Dec. 26.—For printing 250 copies of Mississippi Penitentiary report, 16 pages rule and figure work, at \$2 70 per page,	\$44 20
For printing 8 pages plain at \$1 35 per do.	10 80
For covering and stiching same,	7 50
	— 62 50
1847.	
Jan’y. 4.—For printing commissions on parchment,	\$22 50
“ by request of Mr Yerby,	7 50
“ proclamation of Riley Moore,	6 25
	— 36 25
January 13.—For printing commissions,	\$8 50
For proclamation for Abram Kelly and others,	12 50

For printing proclamation for S. Harvard, -	7 50	
	—	28 50
January 16.—For advertising notice to volunteer companies, - - -	\$5 00	
For printing hand bills, - - -	5 00	
“ “ sign for quarter master, -	2 50	
	—	12 50
Jan'y. 23.—Advertising the times for taking up the district docket at November term, -	\$12 00	
	—	12 00
Feb'y. 7th.—For furnishing 8 pages rule and figure work, on Penitentiary report, not included in original account, - - -	\$21 60	
	—	21 60
Feb'y. 20th.—For advertising notice to assessors, -	\$3 00	
For printing book of warrants for State, -	33 33	
	—	36 33
Feb'y. 20.—For advertising proclamation in relation to C. Havard, - - -	\$7 50	
For printing proclamation accompanied by letter of attorney general, - - -	15 75	
For advertising same in paper, 4 times, 8 squares, -	15 00	
“ printing labels, - - -	2 50	
	—	40 75
Feb'y. 20.—For advertising election of H. T. Ellett, -	\$4 50	
For advertising report of school commissioner, -	5 25	
	—	9 75
March 20.—For advertising town lots, -	\$17 50	
For printing hand bills of same, -	10 00	
	—	27 50
March 27th.—Advertising proclamation of Secretary of State for amending the constitution from date to 1st Monday of November, 1847, -	\$87 50	
	—	87 50
March 26th.—For printing 10 reams blank commissions, at \$35 per ream, - - -	\$350 00	
	—	350 00
May, 15.—For printing catalogue of the State library, stitching and covering the same, -	\$56 00	

For printing labels,	5 00
	——161 00
July 10th.—For printing 6 quires blanks,	\$12 00
	—— 12 00
July 31.—For advertising proclamation in relation to volunteers,	\$28 50
For printing 1000 proclamations,	65 00
For advertising proclamation concerning T. W. Gilder	7 50
	——101 00
August 28th.—For printing 300 proclamations,	\$16 50
To advertising same in Mississippian,	9 50
	—— 26 00
Sept. 2d.—For printing 100 proclamations, circular form,	\$7 50
Advertising same in newspaper,	4 50
“ order No. 5,	5 50
	—— 17 50
Sept. 7.—To printing 500 receipt warrants,	\$15 00
	—— 15 00
Sept. 18.—For printing 2½ reams, of large folio post, containing a circular and two deeds on each sheet at \$50 per ream,	\$125 00
	——125 00
October 14.—For printing 1000 proclamations to the people of Mississippi, 2 reams at \$35	70 00
	—— 70 00
October 14.—For printing 1000 copies, 2 reams, circular letter to school commissioner,	\$70 00
For 200 copies circular letter to Colonels of re- giments,	15 00
For 100 copies writ of election for circuit judge,	\$10 00
	——165 00
October 14.—For advertising military proclama- tion, 3 insertions, 12 squares,	\$16 20
For advertising general ordes, August 30th, 5 squares, 6 insertions,	12 39
	—— 28 59

October 14.—For advertising general order No. 5, 4 insertions, ...	\$8 62
	— 8 62
October 21.—For publishing Governor's proclama- tion relative to November election, 1847, 435 lines, 39 squares, 13 insertions, 1st insertion 60 cents per square, ...	\$23 40
	— 23 40
For 12 succeeding insertions at 37½ cents, ...	\$174 25
	—174 25
Nov. 17.—For publishing amendment to the con- stitution in relation to banks, 6 ms.	66 00
	— 66 00
For two reams military commissions, ...	\$70 00
	— 70 00
For four " civil "	\$140 00
	—140 00
Nov. 26.—For 1500 copies of circular of the at- torney general, containing opinion in regard to the terms of public officers, at \$40 for each five hundred, ...	\$120 00
For insertion of same in paper, 2 insertions, 563 lines, ...	45 82
For publishing circular of attorney general to school commissioners and trustees, 80 lines, 7 squares 1 insertion, ...	4 20
For 25 writs of election for election of circuit judges in place of Hon. Thos. H. Willis, ...	7 00
For advertising writ, nine insertion, 4 squares, ...	16 00
For Governor's proclamation in relation to thanksgiving, 59 lines, 5 sqrs., 3 insertions, ...	10 50
	—203 92
Dec. 15.—For printing 1200 military commissions by order of adjutant general, H. L. French, ...	\$73 00
	— 73 00
<i>The State of Mississippi, to W. W. Leland, DR.</i>	
June.—For advertising in the Southron Tribune, a- mendment to the constitution, 6 sqrs. 6 mos.	\$81 00

The Chair made the announcement of the appointment of the following committees, in relation to sundry references of the Governor's message:

So much of the message as relates to the Planters Bank bonds, the select committee consists of Messrs. Connell, Hurst, Neely, Hancock, Thomas of Marshall, West of Holmes, Hill, Moore and Myers.

So much of the message as relates to the 500,000 acres of land, the joint select committee, on the part of the House, consists of Messrs. Brooke, Hamer, Nash, Hinds, Neill, Whitfield, Thomas of Marshall, Brown, Henry, Valentine, Weathersby, Simrall Carroll, Noble and Foote of Noxubee.

So much as relates to the Chickasaw school lands, the select committee consists of Messrs. Harrington, Dilworth, Phillips, Williams, Fortson, Barden Cypert, Ray, Foree, Wilson, Byrn, Crishman, Abbott, Steele, Trigg, Powell, Gatlin.

So much as relates to a normal school be referred to the following joint select committee, on the part of the House, to wit: Messrs. Stanton, Ford, Garrett, Stewart and Dilworth.

So much as relates to an insane lunatic asylum, the committee consists of Messrs. Nailer, Catchings, White, Ford, Campbell of Franklin.

So much as relates to the salaries of District Attorneys, the committee consists of Messrs. Whitmore, Foote, of Noxubee, Hall, Slade, and Garrett.

So much as relates to public buildings, the committee consists of Messrs. White, Holden, Walker, West of Wayne.

So much as relates to new States and acquisition of territory, the committee consists of Messrs. Campbell of De Soto, Simrall, Steger, Mason and Bond.

So much as relates to the vaccine depot, the committee consists of Messrs. Thomas of Yazoo, McWilliams, Foree, Cox and Arnold.

Mr. Stanton presented the petition of sundry citizens of Adams county, praying for certain matters therein named; and,

On his motion,

Was referred to a select committee:

The Chair appointed Messrs. Stanton, Stewart and Garrett said committee.

Mr. Bond presented the petition of John Curve and Mary Curve,

praying for certain matters therein mentioned; and,

On his motion,

Was referred to a select committee of five.

The Chair appointed Messrs. Bond, Davis, Myers, Walker and Campbell said committee.

Mr. Brooke presented the petition of R. B. Munson, late Assessor of the county of Holmes, praying for certain matters therein mentioned; and,

On his motion,

The same was referred to the judiciary committee.

Mr. West presented the petition of John McClellan, a citizen of Holmes county, praying for certain matters therein mentioned; and,

On his motion,

The same was referred to a select committee of three :

The Chair appointed, Messrs. West, Nash and Saunders.

Mr. Torrey presented the petition of Jackson Dardin, a minor, and citizen of Jefferson county, praying for certain matters therein mentioned ; and,

On his motion,

Was referred to a select committee of three :

The Chair appointed Messrs. Torrey, Cox and Campbell of Franklin, said committee.

Mr. Torrey presented the claims of Samuel Laughman, as Sheriff of Jefferson county,

Which was referred to the committee on claims.

Mr. Torrey presented the claim of Edwin McKey, as Clerk of the Criminal Court of Jefferson county,

Which was referred to the committee on claims.

Mr. Cushman presented the claim of Davidson S. Isom,

Which was referred to the committee on claims.

Messrs. Whitfield and Connell presented sundry claims,

Which were referred to the committee on claims.

Mr. Steger presented the petition of William Brandon, a free man of color,

Which was referred to a select committee of three, consisting of Messrs. Steger, Foote of Tippah, and Williams.

Mr. Wooldridge presented the petition of sundry citizens of Kemper county, praying for certain things therein mentioned,

Which was referred to the committee on county boundaries.

Mr. Dilworth presented the claim of William Walker, constable,

Which was referred to the committee on claims;

Also the claim of William Walker, constable.

Which was referred to the committee on propositions and grievances.

Mr. Weir presented the petition of sundry citizens of Yalobusha county, praying for certain things therein mentioned, which he asked to be referred to a select committee of five.

Mr. Dilworth moved its reference to a standing committee,

Which having preference,

The petition was referred to the committee on the 500,000 acres of land;

Also the petition of sundry citizens of the State of Mississippi,

Which was referred to the same committee.

Mr. Hinds, from the select committee to whom was referred the documents accompanying the Governor's message, made the following report:

MR. SPEAKER—The select committee, to whom was referred the documents accompanying the Governor's message, for the purpose of selecting such as shall be printed for the use of the House of Representatives, have instructed me to report the following, to wit:

A communication from the Hon. J. S. B. Thatcher on the subject of normal schools; a communication from James M. Howry in relation to the university; a communication from James Champ-
lin, in relation to the establishment of a school for the blind; and the resolutions from the State of Virginia, and the report of the Auditor of Public Accounts:

All of which is respectfully submitted.

Mr. Cushman offered the following resolution:

Resolved, the Senate concurring, that the 14th joint standing rule of the legislature be so amended that after "a joint committee of accounts" it shall read a joint standing committee on the university.

On motion of Mr. Cushman,

The rule requiring joint resolutions to lie one day on the table was dispensed with.

A message was received from the Senate through their messenger Mr. Tebo:

MR. SPEAKER—I have been instructed to inform the House of Representatives that the Senate have adopted the following resolution:

Resolved, (the House of Representatives concurring) That a committee of three on the part of the Senate, and——on the part of the House of Representatives, be appointed to invite Major General Zachary Taylor and John A. Quitman, to visit the capital of Mississippi during the present session of the Legislature, and that the joint committee so raised, be authorised to suggest the ceremonies which shall be observed in the reception of those distinguished patriots and soldiers.

The President has appointed on the part of the Senate, Messrs. Boone, Guion, and Stewart;

In which I am directed to desire the concurrence of the House of Representatives.

Mr. Hinds offered the following joint resolution:

Resolved by the Legislature of the State of Mississippi, That the Secretary of State is hereby authorized and required to furnish to each of the judges of the probate courts of the several counties in this State, one copy of each one of Howard's reports, and one copy each of Smedes' and Marshall's reports, at the time of distributing to the several counties the laws and journals of the Legislature of 1848;

Which was read the first time.

Mr. Hinds moved that the rule requiring bills or resolutions to be read on three several days, be dispensed with;

Which was decided in the negative.

On motion of Mr. Liddell,

Mr. Trigg was added to the committee on the penitentiary.

On motion of Mr. Duke,

Mr. Steele was added to the committee on the penitentiary.

On motion of Mr. Wooldridge,

The message from the Senate desiring the concurrence of the House, inviting Major Generals Zachary Taylor and John A. Quitman to visit the capital during the sitting of the Legislature,

Was called from the table;

Several amendments being offered to it, which amendments were withdrawn,

And the message laid on the table.

Mr. Thomas by leave, introduced a bill to be entitled

An act to incorporate Marshall Lodge No. 25, of Independent Order of Odd Fellows, Lamar, Mississippi;

Which was read the first time.

On motion of Mr. Thomas,

The rule requiring bills to be read on three several days was dispensed with,

And the bill read the second and third time forthwith, and passed with its title as stated.

Mr. Brooke by leave, introduced a bill to be entitled

An act to incorporate Lexington Royal Arch Chapter No. 9, in the town of Lexington;

Which was read the first time.

On motion of Mr. Brooke,

The rule requiring bills to be read on three several days, was dispensed with, and the bill read the second and third time forthwith and passed with its title as stated.

Mr. West by leave, introduced a bill to be entitled

An act for the emancipation of a negro man Armstead;

Which was read the first time.

On motion of Mr. West,

The rule requiring bills to be read three several days, was dispensed with,

And the bill read a second time and referred to the judiciary committee.

Mr. Houston by leave, introduced a bill to be entitled

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen;

Which was read the first time.

On motion of Mr. Houston,

The rule requiring bills to be read on three several days, was dispensed with,

And the bill read a second time and considered as engrossed.

On motion of Mr. Whitfield,

The bill was laid on the table.

Mr. Catchings gave notice that on to-morrow he would introduce a bill to be entitled

An act to provide for the disposal of the 500,000 acres of land, granted to the State of Mississippi for purposes of internal im-

provement, by an act of Congress, approved 4th day of September, 1841;

And on his further motion,

Messrs. Brooke and Foote of Noxubee, were added to the committee on education.

A message was received from the Senate, through their messenger, Mr. Tebo:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have adopted the following resolution:

Resolved, (with the concurrence of the House) That the Senate and House of Representatives convene together in the Hall of Representatives at 11 o'clock on Tuesday the 11th instant, for the purpose of electing a Senator to the United States Congress, to fill the unexpired term of the Hon. Jesse Speight, deceased.

I am also instructed to inform the House of Representatives, that the Senate have passed bills of the following titles:

A bill to be entitled an act to change the time of holding the probate court of Amite county;

A bill to be entitled an act for the relief of Zebulon P. Wardell;

A bill to be entitled an act to incorporate Macon R. A. Chapter No. 11;

A bill to be entitled an act to change the time of holding the Probate court of Hinds county;

In all of which, I am directed to desire the concurrence of the House of Representatives.

Mr. Brooke gave notice that he would, on to morrow, introduce a bill to incorporate the town of Lexington.

Mr Metcalf moved that Messrs. Clayton, Connell and Cleveland be added to the committee on internal improvements;

Which motion was lost.

Mr Simrall gave notice, that on to-morrow, or an early day thereafter, he will introduce a bill to provide for the compensation of talis jurors.

On motion of Mr Dilworth,

The report of Mr. Hinds from the committee to whom was referred the documents accompanying the Governor's message, was laid on the table.

On motion of Mr Hinds,

Twenty-five hundred copies of the Auditor's report were ordered to be printed for the use of the House.

Mr. Foote, of Noxubee, by leave, introduced a bill to be entitled

An act to make notarial protests without the limits of this State, on all instruments required by law to be protested, *prima facie* evidence of the facts set forth in the protest;

Which was read the first time.

Mr. Foote, of Noxubee, moved that the rule requiring bills to be read on three several days, be dispensed with;

Which motion was lost.

On motion of Mr Connell,

The House took a recess for the purpose of preparing the Hall for the reception of the Senate, to the end that the two Houses, in conformity to their resolution, appointing this day, at 12 o'clock, for the purpose of opening and counting the vote for Governor, and also, to elect a Keeper of the Capitol and Librarian, and State Printer.

The recess having expired, and the Hall being in readiness, the Senate, preceded by the Sergeant-at-arms, entered the Hall, and took the seats assigned them.

The President of the Senate having explained the object of the joint assemblage,

Mr. Whitfield of the House moved, that in counting the votes for Governor, each return that was informal, or that had not been returned agreeably to the constitution, should be rejected;

Which was decided in the affirmative.

The Speaker of the House then proceeded to open and publish the votes from each county alphabetically, and upon getting through, a question arose as to the propriety of rejecting the returns of the several counties mentioned in the report of the Secretary of State, as not having been sent to his office under seal, in a separate return, but having been included in the general returns;

Which, not being before the two Houses,

On motion of Mr Harrington,

Resolved, That the Secretary of State be required forthwith to furnish the two Houses with the returns of election for Governor from the county of Oktibbeha, and all the returns reported by the Secretary of State to have been included in the general returns, and not specially returned.

Mr. Lake of the Senate, moved the rejection of the returns handed to the Speaker unsealed, by the Secretary of State;

Which was decided in the affirmative.

Mr. Briscoe of the Senate, moved that the returns so sent in by a resolution of the two Houses be spread upon the journals of each House;

Which motion the President of the Senate decided to be out of order, stating that it was not in the power of the two Houses, in joint assemblage, to order the recording of any particular rejected matter on the journals of either House,

From which decision Mr Boone of the Senate appealed.

Mr. Briscoe of the Senate called for the yeas and nays, and being sustained in the call, the vote is as follows:

Those who voted in the affirmative are:

Senators—AYES—Messrs. Alcorn, Carter, Davis, Gray, Guion, Harrison, Hodges, Johnson, Lake, McDugald, Price, Pegues, Pettus, Singleton, Sharpe, Stewart and White—17 votes.

NOES—Messrs. Boone, Beene, Briscoe, Cannon, Catchings, Dabney, Greer, Kennedy, Labauve, McAfee, Ramsey and Wilborne—12 votes.

HOUSE AYES—Mr. Speaker, Messrs. Alderson, Brumfield, Barden, Brown, Brooke, Cypert, Connell, Collier, Catchings, Cleveland, Campbell of Franklin, Dilworth, Dampier, Ellis, Echols, Fortson, Ford, Foree, Foote of Noxubee, Gatlin, Garrett, Godfrey, Houston, Hall, Hill, Henry, Hogue, Huie, Johnston, Liddell, Mason, McLaurin, McInnis, Myers, Moore, Neely, Noble, Nailer, Nash, Powell, Stanton, Sanders, Philips, Steger, Steele, Slade, Simrall, Stewart, Smith of Bolivar, Toulme, Thomas of Marshal, Thomas of Yazoo, Walker, Whitfield, Torrey, Weir, White, Wilds, Williams, West of Holmes, and West of Wayne—69 votes.

NOES—Messrs. Abbott, Arnold, Byrns, Bynum, Bond, Clayton, Cushman, Campbell of De Soto, Duke, Davis, Foote of Tippah, Hamer, Hinds, Harrington, Holden, Hancock, Lynch, Metcalf, McWilliams, Melton, Neill, Ray, Surat, Trigg, Thomas, Valentine, Weathersby, Whitmore, Wooldridge, and Wilson—31 votes.

So the decision of the Chair was sustained.

The resolution having been communicated by the Sergeant-at-arms to the Secretary of State, the papers asked for, were forthwith delivered to the two Houses.

The vote for Governor, as announced by the Speaker, is as follows:

Official Returns of the vote for Governor.

[illegible]

Official returns of the vote for Governor.

COUNTIES.	J. W. Matthews.	A. B. Bradford.	F. Labauve.	Read.	Wadkins.	Henry.	McCaleb.	McCay.	Davis.	Terry.	Sellers.	Caruthers.	Oaks.
Neshoba,	299	70											
Newton,	334	158											
Noxubee,	612	101											
Perry,	175	24											
Pike,	550	9											
Rankin,	470	158											
Scott,	331	103											
Simpson,	335	72											
Smith,	461	46											
Sunflower,	59	32											
Tunica,	41	32											
Tippah,	1361	858								3	10		1
Tishomingo,	1140	353											
Tallahatchie,	237	199											
Warren,	508	887											
Washington,	79	127											
Wayne,	127												
Wilkinson,	303	331											
Winston,	630											14	
Yazoo.	474	498											
	26,995	13,997	3	6	6	9	1	5	615	3	10	14	1

Scattering in Amite county, 9 votes.

Panola, Pontotoc, Oktibbeha, Itawamba, & Yallobusha—The returns from these counties were not counted on account of informality.

RECAPITULATION.

Mr. Matthews received 26,995 votes.

Mr. Bradford " 13,997 "

Scattering, " 678 "

Whole number of votes cast 41,670

The Speaker of the House announced that Mr. Joseph W. Matthews having received the highest number of votes polled in the late November election for Governor, is duly and constitution-

ally elected Governor of the State of Mississippi, for the term prescribed by the constitution.

On motion of Mr. Cannon of the Senate,
The house took a recess until 4 o'clock p. m.

4 O'CLOCK, P. M.

The two houses resumed its session.

Mr. Cannon of the Senate moved that the election of Keeper of the capitol and Librarian be taken *viva voce*;

Which was lost.

The two houses then proceeded to ballot.

Mr. Cannon of the Senate, and Mr. Liddell of the House, acting as tellers.

Mr. Boone of the Senate, nominated John W. Patton, of Hinds,
Mr. Labauve of the Senate, nominated Mr. P. R. Kenna of Hinds.

Mr. Cannon of the Senate, nominated Mr. James M. Lewis.

Mr. Alderson of the House, nominated Mr. T. J. Conn.

Upon counting the votes, the result is as follows:

Mr. Patton received	.	.	.	.	57 votes.
Mr. Lewis	"	.	.	.	55 "
Mr. Kenna	"	.	.	.	7 "
Mr. Conn	"	.	.	.	2 "

Neither gentleman having received a majority of the votes cast, the two houses proceeded to a second balloting,

Which resulted as follows:

Mr. Patton received	.	.	.	.	63 votes.
Mr. Lewis	"	.	.	.	57 "
Mr. Kenna	"	.	.	.	1 "
Mr. Conn	"	.	.	.	0 "

Mr. Patton having received a majority of the whole vote cast, was declared to be duly and constitutionally elected Keeper of the Capitol and Librarian, for the term prescribed by law.

The two houses then proceeded to the election of Public Printer.

On motion of Mr. Cushman,

The vote was taken *viva voce*.

Mr. Kennedy of the Senate, nominated Messrs. Price & Fall,

Mr. Guion of the Senate, nominated Mr. Thomas Palmer.

Those who voted for Messrs. Price & Fall, are :

SENATORS—Mr. President, Messrs. Boone, Beene, Briscoe, Cannon, Carter Catchings, Davis, Greer, Johnson, Kennedy, Labauve, McDugald, McAfee, Price, Pegues, Pettus, Ramsay, Singleton, Sharp, and Wilborne.—21.

Those who voted for Mr. Thomas Palmer, are :

SENATORS—Messrs. Alcorn, Gray Guion, Harrison, Hodges, Lake, Stewart, and White.—8.

Mr. Dabney of the Senate, voted for Mr. S. R. Adams.

Those who voted for Messrs. Price & Fall, are:

REPRESENTATIVES—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Brumfield, Byrns, Bynum, Bond, Barden, Brown, Clayton, Carroll, Cushman, Connell, Cleveland, Campbell of De Soto, Campbell of Franklin, Duke, Davis, Dilworth, Dampier, Ellis, Echols, Fore, Foote of Tippah, Gatlin, Garrett, Hamer, Hinds, Harrington, Hall, Holden, Hill, Hancock, Hogue, Huie, Liddell, Lynch, Metcalf, McWilliams, Melton, Neely, Noble, Neill, Ray, Stanton, Surat, Philips, Steger, Steel, Stewart, Thomas of Marshall, Trigg, Torrey, Thomas of Yazoo, Thames, Valentine, Weathersby, Walker, Wilds, Whitmore, Wooldridge, and Wilson—84 votes.

Those who voted for Mr. Thomas Palmer, are:

REPRESENTATIVES—Messrs. Brooke, Collier, Catchings, Foote of Noxubee, Ford, Godfrey, Henry, Johnson, Mason, McLaurin, McInnis, Myers, Nailer, Nash, Powell, Saunders, Slade, Simrall, Smith of Bolivar, White, Williams, West of Holmes, West of Wayne—31 votes.

Mr. Houston of the House, voted for Mr. Martin.

Mr. Hurst of the House, voted for Mr. Forsyth.

Mr. Toulme of the House, voted for Mr. E. Percy Howe.

Mr. Whitfield of the House, voted for Mr. Worthington.

Mr. Weir of the House, voted for Mr. Lowrie.

Mr. Cypert of the House, voted for the Messenger, of Fulton.

RECAPITULATION:

Messrs. Price & Fall received	.	.	.	84 votes
Mr. Palmer	"	.	.	31 "
Scattering	.	.	.	7 "

Messrs. Price and Fall having received a majority of votes cast were declared to be duly and constitutionally elected State Printers for the term prescribed by law.

The two houses having accomplished the business for which they had assembled, the Senate returned.

On motion of Mr. Hancock,

The House adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 7, 1848.

The House met pursuant to adjournment.

On motion of Mr. Henry,

Leave of absence was granted Mr. Ford.

Mr. Smith of Bolivar, presented the petition of John Patterson of Bolivar county, praying certain things therein mentioned ; which,

On his motion,

Was referred to the committee on propositions and grievances ;

Also the petition of John V. Newman, praying certain things therein named ; which,

On his motion,

Was referred to a select committee of three :

The Chair appointed, as said committee, Messrs. Smith, of Bolivar, Williams and Wilds.

Mr. Whitmore presented the petition of John A. Ray, a citizen of Carroll county, praying for certain matters therein mentioned ; which,

On his motion,

Was referred to the select committee raised on the 500,000 acres of land.

Mr. Hancock presented the memorial of William Yerby, a citizen of Hinds county ; which,

On his motion,

Was laid on the table until Thursday next.

Messrs. Hinds, Weathersby, Henry, Alderson, Steger, Duke and Metcalf, presented sundry claims ;

Which were referred to the committee on claims.

Mr. Wilds presented the petition of sundry citizens of Sunflower county, praying for certain matters therein mentioned ; which,

On his motion,

Was referred to the select committee raised on the 500,000 acres of land.

Mr. Huie, from the committee to whom was referred the petition of W. P. McKinney, reported a bill for his relief.

The question was then taken on receiving and agreeing to the report, a division being called for, the question was first taken on receiving,

Which was decided in the affirmative.

The House refusing to agree to the report,

On motion of Mr. Hancock,

The report was re-committed to the same committee.

Mr. West asked leave to be excused from serving on the committee on accounts,

Which was granted.

The following message was received from the Senate, through their messenger, Mr. Tebo.

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have adopted the following resolutions :

Resolved, the House concurring, that the committee on internal improvements of the two houses, be a joint standing committee, during the present session of the legislature,

In which I am instructed to desire the concurrence of the House of Representatives.

I am also instructed to inform the House of Representatives that leave has been granted for the introduction of bills with the following titles :

A bill to be entitled,

“An act to extend the time of holding the probate court of Warren county.”

A bill to be entitled,

“An act requiring clerks to pay postage in certain cases.”

A bill to be entitled,

“An act for the relief of T. S. Evans.”

An act concerning misdemeanors.

A bill to be entitled,

An act to extend the time of holding the probate court of Monroe county.”

A bill to be entitled,

“An act to repeal the forth-coming bond law of this state.

A bill to be entitled,

“An act to repeal

An act, approved the 4th day of March, 1846;

Entitled an act to divide the State of Mississippi into four congressional districts.”

A bill to be entitled,

“An act to dispose of the internal improvement lands of this state.”

Mr. Harrington, from the select committee to whom was referred the petition of sundry citizens of Oktibbeha county, reported a bill to be entitled,

“An act for the relief of Edward Martin,”

Which was read the first time, and the report received and agreed to.

Mr. Harrington moved that the rule requiring bills to be read on three several days, be disposed with,

Which motion failed.

Mr. Henry, by leave, introduced a bill to be entitled,

“An act to incorporate Canton Royal Arch Chapter No. 10 of Free and Accepted Masons, in the town of Canton, Madison county,”

Which was read the first time.

On his motion,

The rule requiring bills to be read on three several days, was dispensed with, and the bill read a second and third time forthwith, and passed with its title as stated.

Mr. Catchings, pursuant to previous notice, introduced a bill to be entitled,

“An act to provide for the disposal of the five hundred thousand acres of land, granted to the State of Mississippi, for the purpose of

internal improvements, by an act of Congress, approved on the fourth day of September, 1841,

Which was read the first time.

Mr. Catchings moved that the rule requiring bills to be read on three several days be dispensed with,

Which motion was lost.

Mr. Simrall, pursuant to previous notice, introduced a bill to be entitled,

"An act to provide for the compensation of talis jurors,

Which was read the first time.

On his motion,

The rule requiring bills to be read on three several days was dispensed with,

And the bill read a second time and referred to the committee on the judiciary.

Mr. Torrey, by leave, introduced a bill to be entitled,

"An act to amend an act" entitled an act to incorporate the town of Rodney and for other purposes, approved February the 10th, 1844,

Which was read the first time.

The rule requiring bills to be read on three several days was dispensed with;

The bill read a second time, and referred to the committee on the judiciary.

Mr. Nash, by leave, introduced a bill to be entitled,

"An act to incorporate the town of Delta in the county of Coahoma,

Which was read the first time.

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read the second time, ordered to be engrossed, and made the special order of the day for to-morrow, at 11 o'clock.

Mr. Houston, pursuant to notice, introduced a bill to be entitled

"An act to incorporate Wildey Lodge No. 21 of Independent Order of Odd Fellows,

Which was read the first time.

On motion of Mr. Houston,

The rule requiring bills to be read on three several days was dispensed with,

And the bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Brooke, pursuant to notice, introduced a bill to be entitled
"An act to incorporate the town of Lexington, in the county of
Holmes,

Which was read the first time.

On his motion,

The rule requiring bills to be read on three several days was
dispensed with;

The bill read the second time;

Ordered to be engrossed,

And made the special order of the day for Monday morning
11 o'clock.

Mr. Alderson, from the joint standing committee on enrolled
bills, made the following report :

MR. SPEAKER—The joint standing committee, on enrolled bills,
have examined "an act to incorporate Chickasaw Lodge No. 24 of
the Independent Order of Odd Fellows," and have found the same
correctly enrolled.

Mr. Hinds, by leave, introduced a bill to be entitled,

"An act to apportion the lands of the incorporation of the town
of Fulton, in the county of Itawamba, on the road leading from
Fulton to Pontotoc, and for other purposes;"

Which was read the first time.

On his motion,

The rule requiring bills to be read on three several days.

Was dispensed with,

The bill read the second time,

Ordered to be engrossed,

And made the special order of the day for Tuesday next at 10
o'clock.

A message was received from the Senate, through their messen-
ger, Mr. Tebo:

MR. SPEAKER—I am instructed to inform the House of Repre-
sentatives, that the Senate have passed bills of the following titles:

A bill to be entitled,

"An act to extend the time of holding the Probate Court of
Warren county."

A bill to be entitled,

"An act for the relief of Mary Colbert :"

In which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate has signed a bill originating in the Senate, of the following title :

"An act to incorporate Chickasaw Lodge No. 24 of the Independent Order of Odd Fellows;"

Which I am instructed to present to the speaker for his signature.

Mr. Foote of Noxubee, by leave, introduced a bill to be entitled

An act to repeal all laws now in existence, making judgments rendered by justices of the peace in civil cases, liens on the property of defendants in judgments;

Which was read the first time;

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read a second time and referred to the judiciary committee.

Mr. Foote of Noxubee, by leave, introduced a bill to be entitled

An act to incorporate the Macon Female Institute, in the county of Noxubee;

Which was read the first time;

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

Bill read the second time, ordered to be engrossed and made the special order of the day for eleven o'clock on Tuesday next.

Mr. Moore by leave, introduced a bill to be entitled

An act to amend an act entitled an act to establish a system of common schools and for other purposes, approved March, 4, 1846;

Which was read the first time;

Mr. Moore moved that the rule requiring bills to be read on three several days be dispensed with,

Which motion was lost.

Mr. Neill by leave, introduced a bill to be entitled

An act to simplify the law in actions of ejectment:

Which was read the first time;

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read the second time and referred to the judiciary committee.

Mr. Henry gave notice that he would, on to-morrow, or some other early day of the session, introduce a bill to revive and amend

An act to incorporate the Canton and Jackson rail road company, or to introduce an entirely new bill to incorporate said rail road company, at his option;

Also a bill entitled

An act to provide for settlements by guardians of another state, with administrators and executors in this State.

Mr. Bond by leave, introduced a bill to be entitled

An act exempting certain lands from taxation;

Which was read the first time;

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read the second time, and referred to the committee on State and Federal Relations.

Mr. Godfrey by leave, introduced a bill to be entitled

An act to change the time of holding the probate court of Winston county and for other purposes;

Which was read the first time;

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Huie by leave, introduced a bill to be entitled

An act to incorporate the Mississippi manufacturing company;

Which was read the first time;

On his motion,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read the second time, and referred to a select committee of five.

The Chair appointed as said committee Messrs. Huie, Catchings, Cushman, Whitfield and Harrington.

Mr. Cypert offered the following resolution:

Resolved, (with the concurrence of the Senate) That a committee be appointed, consisting of——members on the part of the House, and ——on the part of the Senate, to take into consideration the expediency of calling a convention to revise the constitution of this State;

Which was read the first time;

Mr. Cypert moved that the rule requiring joint resolutions to lie one day on the table, be dispensed with,

Which was lost.

On motion of Mr. McWilliams,

Resolved, (with the concurrence of the Senate) That a joint select committee of five on the part of the House, and——on the part of the Senate, be appointed to wait on his Excellency Joseph W. Matthews, the Governor elect, and inform him that he is duly and constitutionally elected Governor of the State of Mississippi for two years, and request him to state when it will suit his convenience to be inaugurated.

On motion of Mr. Hinds,

The rule requiring joint resolutions to lie one day on the table, was dispensed with,

The resolution read the second time forthwith and adopted.

The Chair appointed as said committee on the part of the House Messrs. McWilliams, Houston, Echols, Valentine and McLaurin.

On motion of Mr. Whitmore,

Resolved, That the committee on the judiciary be instructed to inquire and report as soon as practicable, as to the expediency of preparing and introducing a bill providing for the following objects, and that the committee have leave to report by bill or otherwise:

1st. The division of the State into four additional Vice Chancery districts, which shall include all the counties not now embraced in the two Vice Chancery districts heretofore created, and such of the counties included in said two districts as will make the six districts into which the State will be thus divided as nearly equal in territory and business as practicable.

2d. The election of a Vice Chancellor for each of said new districts, with the same powers and jurisdiction in their respective districts as now belong under existing laws, to the Vice Chancellors of said other two districts.

3d. The establishment in each county in said new chancery districts, of a Vice Chancery Court to be held twice a year by the Vice Chancellor of the district in which the county is situated at such times and for such terms as the committee may deem advisable, and for the election of clerks for said Vice Chancery courts in each county.

4th. The establishment of a Vice Chancery Court to be held in like manner in each of the counties which may be left in the two Vice Chancery districts heretofore enacted, and for the election of clerks therefor.

5th. The transfer of causes now pending in the Superior Court of Chancery to the Vice Chancery Court of the county in which some one of the party or some one of the parties against whom relief is prayed for may reside, and for the transfer in like manner of the causes now pending in the Vice Chancery Courts heretofore enacted.

6th. The committee shall further insert and embody in said bill all the provisions and details necessary in their opinion to carry out these objects, and complete and perfect the system of Vice Chancery Courts, the general outlines of which are presented hereby.

On motion of Mr. Wooldridge,

The Senate resolution extending to Major General Zachary Taylor and John A. Quitman, an invitation to visit the capitol of the State during the session of the Legislature,

Was called from the table.

Mr. Wooldridge offered the following as a substitute to the Senate's resolution, to-wit:

Whereas, General Zachary Taylor has covered himself and his country with imperishable glory, in achieving the splendid victories of Palo Alto, Resaca de la Palma, Monterey and Buena Vista; and, whereas, it becomes the duty of the Legislature of the State of Mississippi to show to this distinguished patriot and leader of our armies, some token of its high regard and approbation, as well on account of his great services, as on account of his kind and affectionate conduct manifested on so many occasions, towards our glorious First Mississippi Rifles; and, whereas, General John A. Quitman, a citizen of the State of Mississippi, has also distinguished himself as an able and skilful leader of our armies on the bloody

fields of Monterey, Chapultepec, and City of Mexico; and, whereas, he is entitled to the lasting respect and gratitude of the people of the State, whose conduct for bold and chivalrous conduct, he has so gloriously illustrated;

Be it therefore resolved by the Legislature of the State of Mississippi, That General Zachary Taylor and General John A. Quitman, be, and they are hereby invited to visit the capitol during its present session, as the honorable guests of the people of the State.

Resolved, That the Legislature of the State of Mississippi entertain the highest sense of the services of Col. Davis, Lieut. Col. McClung and Major Bradford, and all the officers and soldiers under their command, and that they have the cordial thanks of the people of the State.

Resolved, That a committee of five members be appointed on the part of the House, and —on the part of the Senate, to communicate with General Zachary Taylor and General John A. Quitman, and present to them the foregoing preamble and resolutions.

And be it further resolved, That said committee be charged with the arrangement of the ceremonies of the reception of the distinguished guests of the State.

On motion of Mr. Wooldridge,
The amendment was adopted; and,

On his further motion,
The resolution of the Senate was concurred in as amended.

On motion of Mr. Walker,
The vote taken on yesterday ordering 2500 copies of the Auditor's Report to be printed,
Was reconsidered.

Mr. Walker moved that 1000 copies be printed;
Pending said motion,

On motion of Mr. Campbell of De Soto,
The House adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY, 10, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer, by the Rev. Mr. Hoskins of the city of Jackson.

A message was received from the Governor by his private Secretary, Mr. Gibbons, as follows, to wit:

To the House of Representatives:

The report of Col. Jefferson Davis, commanding the First Mississippi Rifles in Mexico, is herewith transmitted, and with it, the report of the several commanders of corps in said regiment.—These papers give in detail the part taken by the 1st regiment in the battles of Monterey and Buena Vista, and as much of what they contain has not yet found its way to the public, and is not preserved in any durable form, they are presented to the House of Representatives with a request that they be spread on the journals.

A. G. BROWN.

Executive Chamber, Jan. 1848.

Which being read, was,

On motion of Mr. Liddle,

Referred to the committee on military affairs.

The following special message was received from the Governor by his private Secretary, Mr. Gibbons:

To the Senate and House of Representatives :

I have the honor to transmit a detailed statement of the several funds under my control, during the last two years. On rendering my accounts at the close of my first official term, there remained balance in my hands of eight hundred and six dollars—seven hundred and fifty dollars of which was subsequently advanced towards the payment for a fire engine and apparatus, to be used in this city. In view of the large amount of property owned by the State in this town, it was deemed proper to take some prudential step to secure it against loss by fire. The city authorities entered into a written agreement to refund the money if the Legislature should refuse to sanction the transaction. The item (\$750) will be found charged in the accounts herewith transmitted, and the agreement alluded to is on file in the Executive office. The citizens of Jackson were unable to furnish the necessary engine and

apparatus to secure the public buildings against fire, and if they had been, the burthen of doing so ought not, it seems to me, to have been thrown on them alone, since they have only an interest in common with other citizens in the preservation of the property. They will freely give their individual exertions in case of fire, and I think the State ought to furnish them the means of making those exertions effective. The engine could not have been purchased but for the advance made by me, and I therefore recommend that the city be not compelled to repay the money already advanced, and that an appropriation be made to pay the remaining cost, to-wit: \$750. The engine will then be the property of the State.

The Executive contingent fund has been drawn from the treasury for the two years last past, as may be seen by an examination of my accounts. The items debited will show for what purposes it has been expended. Your attention is specially invited to the fact that more than one thousand dollars have been expended in the last twelve months for repairs to the public buildings—an item of \$496 75-100 of which was paid to James Smith for putting a tin roof on a part of the Executive Mansion in place of the old roof, which was blown off in a violent storm and so destroyed as not to be worth replacing. The expenditures on the State House and Mansion which have only been sufficient to secure them against decay, show the necessity for a biennial appropriation to keep them in repair. It may not always be found compatible with other interests, to trench so largely as I have been compelled to do, upon the contingent fund for these objects. Vouchers are on file in this department for all the items charged in the account.

When I accounted to the treasury for the two per cent. fund received by me from the United States, two thousand nine hundred and ninety-one dollars was retained in my hands to meet certain expenses necessarily incurred in prosecuting the suit against Graves' securities, and in defraying the expenses of volunteers for the Mexican war. \$1,946 63-100 have been expended on the volunteer account, chiefly for the battalion last called for from this State. The vouchers should be speedily presented at the War office and a settlement requested; and judging from the prompt manner in which our accounts against the first and second regiments were adjusted, I do not doubt those against the battalion will be

paid on the presentation of the vouchers. I used the fund because there was no other in my hands, and it was utterly impossible to organize the battalion without money. Two unsuccessful efforts had been made to get up the battalion, and after nearly three months delay there was but one company at the rendezvous. Under these circumstances, I was left to choose between the course pursued by me, which has resulted in the organization of the battalion, and a total abandonment of all further efforts and a consequent failure to meet the call of the President for troops. I did not hesitate, because I could not doubt as to what the Legislature and the people would expect the executive to do in such an emergency. Other States have appropriated large sums for these purposes. The Executive of Mississippi, in the absence of the Legislature, has been left to provide for them as best he could. I have the satisfaction of knowing that but few accounts of this description contracted by my order, are left unsettled. The sums paid on account of the suit against Graves' securities, will be found charged in the accounts to Jesse Mabry—the vouchers are on file in this department. The original defalcation, it will be recollected, was for forty-four thousand dollars, on which a judgment has since been obtained, in the circuit court of Carroll county, for upwards of fifty thousand dollars. It was ascertained soon after the adjournment of the last Legislature, that some of the securities had made, and others were about making transfers of their property, and that one or more had removed from the State. The debt was then in danger of being entirely lost, and it was too large to be abandoned without an effort to save it. Under these circumstances, it was deemed best to appoint an agent to superintend the interest of the State. Col. Mabry at my solicitation undertook the agency, and immediately entered upon the duties appertaining thereto. He caused a considerable amount of property to be levied on in this State, some of which was sold, and some is yet involved in law suits. He pursued one of the securities to Louisiana and caused about fifty of his slaves to be levied on: after more than a year's litigation, the original judgment under which the execution issued, was set aside. Proceedings were again instituted, since which time no other judgment has been rendered. The suit is still pending before the court in Madison Parish, Louisiana. The services of the agent being no longer required, he was discharged. His

report is herewith transmitted, together with letters No. 1, 2, 3, 4 and 5. The sums stated in the accounts are in full compensation for his services and all expenses incurred by him.

Five thousand dollars was appropriated at the last session of the Legislature to the grading and enclosing the Capitol Square in Jackson. The contract for the stone work was let to John Robb of Jackson, at two thousand one hundred dollars, and iron was supplied and put up by White and Bobb of Vicksburg, for \$2,392, as per contract. These contracts have been discharged; the balance of the money was expended in the wood work, freight and for other purposes, as per accounts and vouchers. There is yet due Caleb A. Parker, seventy-five dollars for cementing the wall, and to James Smith, two hundred dollars for lamps, when the same shall be finished and put up according to the drawing furnished by Wm. Nichols, State Architect. There are no other unsettled charges.

A number of fugitives from justice have been proclaimed by me, and rewards offered for them. They have not yet been arrested, and possibly never may be; but if they should, the Legislature, it is to be hoped, will make suitable provision for paying the rewards by placing the means at the disposal of my successor. If the fugitives are never arrested, the money will never be called for, and if they are, the rewards ought to be paid. Under no circumstances will it require more than \$800. There are some small bills for printing not paid, because not presented, amounting in the aggregate to some forty or fifty dollars—besides these, there are no other unsettled accounts contracted by me.

The memorial of Col. Jefferson Davis, late commander of the 1st Mississippi Rifles in Mexico, is herewith transmitted. The memorialist asks relief against certain pecuniary losses sustained by him personally, in supplying his regiment with clothing whilst in the service. The documents transmitted detail all the circumstances under which the loss was incurred, and the whole subject is referred to the Legislature with a recommendation that the relief asked for be granted.

In closing this communication, I feel it due to the Legislature and to my successor, to recommend an appropriation to furnish the Governor's Mansion. The house is not in a habitable condition

without a very considerable outlay of money by the incumbent, and it has not been so at any former period.

EXECUTIVE CHAMBER, }
January 6, 1848. }

A. G. BROWN.

Which being read,

On motion of Mr. Johnson,

Resolved, That so much of the Governor's message just read, as refers to the Fire Engine company of the city of Jackson, to the State Armory, and to the furnishing of the Governor's Mansion, be referred to the committee on Public Buildings.

Before any further action was had on the message,

On motion of Mr Connell,

It was laid on the table and 500 copies ordered to be printed.

James T. McAfee, the Representative from the county of Attala, appeared within the Hall, presented his credentials, took the oath of office, and took his seat.

On motion of Mr. Hinds,

Leave of absence was granted Messrs. Cypert and McWilliams during their indisposition.

On motion of Mr Liddell,

Members were allowed the privilege of wearing their hats whilst occupying their seats, except in the presence of the Senate, or when addressing the Chair.

The motion pending, by Mr. Brooke, on Friday last, to print two thousand copies of the Auditor's report,

Was decided in the affirmative.

Mr. Cox presented the petition of the trustees of the "State Hospital" at Natchez, praying for an appropriation therein named, for the benefit of said hospital.

On motion of Mr. Cox,

The petition was referred to a select committee of seven.

The Chair appointed as said committee, Messrs. Cox, Cushman, Nailor, Catchings, Foote of Noxubee, Torrey and Williams.

Messrs. Saunders, Hill, Toulme and Cushman presented sundry claims,

Which were referred to the committee on claims.

Mr. Steele presented the petition of sundry citizens of Chickasaw, Choctaw, Yalobusha, Lafayette and Pontotoc counties, in relation to the establishment of a new county; which,

On his motion,

Was referred to a committee of five, consisting of one member from each county adjoining the proposed new county.

The Chair appointed as said committee, Messrs. Steele, Huie, Weir, Brown and Duke.

Mr. Foote of Noxubee, presented the petition of sundry citizens of Noxubee county, praying to be exempt from the provisions of an act to establish a system of common schools, approved March 4th, 1846; which,

On his motion,

Was referred to the committee on education.

A message from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed by the Senate to inform the House of Representatives, that they have concurred in the resolutions from the House appointing a committee to wait on his Excellency, Jos. W. Matthews, the Governor elect, and inform him of his election, and that the President, has appointed on the part of the Senate, Messrs. Boone, Greer and Cannon.

Mr. Houston, from a joint select committee, made the following report:

MR. SPEAKER—I am instructed by the joint committee of the two Houses, appointed to wait on his Excellency, Joseph W. Matthews, (Governor elect) and know when it would suit his convenience to meet them in convention and be inaugurated, to say to the House of Representatives, that the committee has called on Gov. Matthews, and been informed by him, that owing to the affliction of his family, he desires the Legislature, as far as practicable, to dispense with the usual formalities on such occasions, and that he be permitted to meet the two Houses immediately for inauguration.

On motion of Mr. Arnold,

The morning's business was dispensed with for the purpose of proceeding to the inauguration of Joseph W. Matthews, the Governor elect; when,

On motion of Mr. Hinds,

The House took a recess for 15 minutes.

The Senate having been informed that the Hall was in readiness for their reception, entered, preceded by the sergeant-at-arms, and took the seats assigned them.

The sergeant-at-arms then announced the Governor elect, who,

being conducted to the clerk's desk, accompanied by the judges of the High Court of Errors and Appeals, delivered the following inaugural address, to-wit:

Fellow-Citizens :—

Being called by the voice of the people of the State to take charge of the Executive department of their government, before taking the oath of office required by the constitution, in obedience to custom, I proceed, briefly, to declare the principles by which I intend to be governed in the discharge of the high and responsible trust committed to my hands.

Our general government, embracing a confederation of independent sovereignties, was created by the delegation of certain powers for national purposes, by those sovereignties, and all the powers not thus delegated, were reserved to the states or to the people.

In my judgment the preservation of our institutions, and of the rights and liberties of the people, depends upon a strict adherence to the constitutional compact, and to the limitations in the exercise of powers prescribed, to the general government on the one hand and reserved by the states on the other.

With these views of the powers of the federal and state governments, I shall be careful not to recommend or sanction any measure which will conflict with the just powers of either.

In the federal constitution, the power of admitting new states into the Union is given to Congress, but, it has no right to require any other condition of such states in order to admission, than the adoption of republican forms of government—leaving to the people the right of determining their own domestic policy.

The institution of domestic slavery, at the formation of the federal constitution, existed in a majority of the states forming the Union—they entered the Union without delegating to Congress any power whatever to legislate upon the subject, except to prohibit the foreign slave trade.

The power to control the institution within their respective limits, was therefore a right reserved to the states, and with which Congress cannot, without a usurpation of power, interfere.

In the constitutional compact between the states, it was expressly stipulated, that new states might be admitted into the Union "*upon the same footing with the original states.*"

The prohibition of slavery was not made a *condition* of the union

of the original states, it cannot therefore be made a condition of the admission of new states.

So far from the institution of slavery constituting an objection to the union of the original states, it is expressly recognized by the constitution, and guarantees for its protection were incorporated into that instrument; for the states into which fugitive slaves might fly, were bound to deliver them to their owners, although slavery might be prohibited by the laws of such states.

The institution of slavery is a right reserved by the states, and if Congress refuses a new state admission into the Union because of the existence of slavery within its limits, such refusal, in my judgment, will be a flagrant disregard of the injunctions of the constitution, and an abandonment of the compact, which, at present, and it is fondly hoped shall, to the end of time, bind together the states of this glorious Union.

Our present territory, or that which may be acquired, is, and will be, the common property of the United States. To prohibit the citizens of one portion of the Union from inhabiting such territory without first submitting to a disfranchisement of rights secured to them by the constitution, would be a palpable violation of that clause which provides that "citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states."

This is a momentous question; one on which is suspended the existence of this happy confederacy. It is useless to evade the question by refusing territorial indemnity from Mexico. It must be met. We must know whether the compromises of the constitution are to be respected; whether citizens of the slave states are to be considered as equals with their northern brethren, and whether slavery is regarded as such a crime, that those who hold this species of property are unworthy of an association with the inhabitants of the free states.

Experience has proven that no people have ever gained anything by yielding to invasions of their rights, but, generally in the end, they lose every thing; and while I believe that we should, in reference to this momentous and exciting question, exercise moderation; while I would appeal to the interest, the patriotism and the justice of our brethren of the free states, and entreat them to pause and reflect well, before they take a step which must result in conse-

quences appalling to the heart of every patriot; yet I would meet any, and all attempts to interfere with or invade our constitutional rights with a firmness and decision that should be felt and respected.

On this subject they can yield, but we cannot. We have no desire to interfere with their domestic institutions, nor can we submit to their interference with ours. We ask not that slavery shall exist in a state, in order to its admission into the Union, but that the people of such state shall establish such domestic institutions as they may deem most conducive to their interests and happiness. To prevent the extension of slave territory, would prove the greatest calamity to that portion of population. If they were liberated, they could not remain amongst us. They are prohibited from migrating to most of the free states, and denied the right of citizenship, I believe, in all. What, then, should we do with them? Soon, their natural increase would lead, either to their extermination, or to the expulsion of the white race. And can that be an enlightened philanthropy which must end in consequences so disastrous and so shocking to every feeling of humanity!

In reference to the war, now existing between the United States and Mexico, believing it was forced on us by Mexico, and unavoidable on our part without dishonor, I am in favor of its vigorous prosecution until an honorable peace can be secured with indemnity for past injuries, and security for the future.

Believing as I do, that every American citizen is entitled to the same political rights, and has the same claims upon this government, without regard to his occupation or profession, I shall oppose all measures giving exclusive privileges to one portion of the people at the expense of any other portion. I shall therefore oppose the creation of banks or banking privileges, state or national. I am opposed to a tariff discriminating for the purpose of protecting domestic manufactures, or for any other purpose than revenue; believing such a tariff to be unconstitutional, unjust, and oppressive to the great mass of the people. In the administration of our state government, I shall favor a rigid economy, and shall require a faithful discharge of duty by all public officers. I am in favor of a prompt payment of all just claims against the State, at the earliest practicable period. I shall advocate the encouragement and maintenance of a system of common school education, by all constitu-

tional means, that the blessings of education may be brought within the reach of every child in the state, by which he may be the better qualified to discharge his duty to his fellow men, his country and his God.

Our State University, our Colleges, and other institutions of learning, are also entitled to the fostering care of the government. The lands appropriated by Congress, in lieu of the sixteenth sections in the Chickasaw cession, I think, should be disposed of, the proceeds invested safely and profitably, and the interest appropriated for the support of schools in that portion of the state.

The five hundred thousand acres of land donated by Congress to the state, for purposes of internal improvement, should be so disposed of as to secure at as early a period as practicable, the benefits intended to be conferred on the state by this munificent grant. In the disposition of these lands, I am in favor of pre-emptions at a minimum price, to be established by law, and of the application to them of the graduation principle, the salutary effects of which have been exemplified in a neighboring part of the state.

To enhance the value of these lands, and the lands of our citizens in their vicinity, and from various other considerations, I am in favor of, and would recommend the levying of the Mississippi river, by a tax upon all lands subject to taxation between the high lands and the river, placing the State on the same footing with individual land holders.

If the act of the last Legislature for organizing the Eastern Rail Road Company, should be found to be defective, I shall be in favor of such amendments as may be necessary to expedite that improvement, by all means which are not calculated to involve the State on its account.

I shall heartily co-operate with the other departments of the government in all measures calculated to promote the general interests and prosperity of the State, and to do equal justice to all its citizens. Distrusting my own abilities, I shall rely with confidence upon the wisdom and patriotism of the Legislature, invoking the support of my fellow-citizens when right, and their charitable indulgence and forbearance when wrong.

In conclusion, I tender to the people of the state my grateful acknowledgments for their kind partiality and confidence; and may that God, who presides over the destinies of nations, and whose

kind providence has bestowed on our happy country unnumbered blessings, grant us wisdom so to discharge our several duties, that our beloved country may continue to prosper, and our people remain free, virtuous and happy.

JOSEPH W. MATTHEWS.

JACKSON, January 10th, 1848.

Chief Justice Sharkey, then administered to the Governor elect the oath of office.

The sergeant-at-arms having made the usual proclamation, the President of the Senate announced that the two Houses had accomplished the business for which they had convened; the Senate retired.

On motion of Mr. Harrington,
The House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Walker,

Resolved, That 200 copies of Judge Thatcher's communication on schools; 100 copies of J. M. Houry's, on the Oxford University; 100 copies of the Rev. Mr. Champlin, on the subject of schools for the blind; 500 copies of the resolutions of Virginia, which accompanied the Governor's message, be printed, and also, 1000 copies of the Treasurer's report.

On motion of Mr. Catchings,

Resolved, That 250 copies of the Secretary of State's report on common schools, be printed for the use of this House.

On motion of Mr. Nash,

The Senate resolution, making the committee on internal improvement of the two Houses a joint standing committee during the present session of the Legislature;

Was called up and concurred in.

On motion of Mr. Whitfield,

The Senate resolution, appointing Tuesday, the 11th inst., at 11 o'clock, for the two Houses to convene in the hall of the House, for the purpose of electing a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of the Hon. Jesse Speight;

Was called up.

Mr Metcalf moved, that the resolution be laid on the table;

Which was lost by yeas and nays, as follows:

Those who voted in the affirmative, are:

Messrs. Alderson, Brumfield, Byrns, Bardin, Cushman, Campbell of Desoto, Duke, Dilworth, Echols, Fortson, Ford, Hamer, Hinds, Houston, Hancock, Huie, Liddell, Metcalf, Melton, McAfee, Moore, Neill, Ray, Surat, Steger, Thomas of Marshall, Trigg, Torrey, Thomas of Yazoo, Whitmore, and Wilson—31.

Those who voted in the negative, are:

Mr. Speaker, Messrs. Abbott, Bynum, Brooke, Connell, Collier, Catchings, Cleveland, Davis, Dampier, Ellis, Foote of Noxubee, Foote of Tippah, Gatlin, Garrett, Godfrey, Harrington, Hall, Hurst, Holden, Hill, Henry, Hogue, Johnston, Lynch, McLaurin, McInnis, Myers, Neely, Noble, Nailor, Nash, Stanton, Sanders, Steele, Slade, Simrall, Stewart, Smith, Toulme, Weathersby, Walker, Whitfield, Weir, White, Wilds, Wooldridge, Williams, West of Holmes, and West of Wayne—51.

Mr. Liddell moved to strike out Tuesday, and insert Monday.

On motion of Mr. Whitfield,

The question was divided, and taken on striking out;

Which was decided in the negative, by yeas and nays as follows:

Those who voted in the affirmative are:

Messrs. Alderson, Arnold, Brumfield, Byrns, Bardin, Campbell of Franklin, Cushman, Cleveland, Campbell of Desoto, Duke, Dilworth, Echols, Fortson, Foree, Gatlin, Hamer, Hinds, Houston, Holden, Hancock, Hogue, Huie, Liddell, Metcalf, Melton, McAfee, Moore, Neill, Ray, Suratt, Philips, Steger, Thomas of Marshall, Trigg, Torrey, Thomas of Yaxoo, Wilds, Whitmore, Wilson—39.

Those who voted in the negative, are:

Mr. Speaker, Messrs. Abbott, Bynum, Bond, Burke, Brooke, Clayton, Carroll, Connell, Collier, Catchings, Davis, Dampier, Foote of Noxubee, Foote of Franklin, Garrett, Godfrey, Harrington, Hall, Hurst, Hill, Henry, Johnston, Lynch, Mason, McLaurin, McInnis, Myers, Neely, Noble, Nailor, Nash, Powell, Stanton, Sanders, Steele, Slade, Simrall, Stewart, Smith, Toulme, Thomas, Valentine, Weathersby, Walker, Whitfield, Weir, White, Wooldridge, West of Holmes, and West of Wayne—52.

On motion of M. Connell,
The resolution of the Senate was concurred in.

On motion of Mr. Hancock,
Resolved, That the Hon. James A. Ventress, ex-speaker of this House, be invited to come within the bar of this House, as a mark of respect for an old and faithful member of the Legislature of the State of Mississippi.

Mr. Walker gave notice that he would, on to-morrow, move a reconsideration of the vote taken on the reference of certain petitions from the counties of Chickasaw and Yallabusha, and others, asking for a new county.

On motion of Mr. Hinds,
The House adjourned until to-morrow morning 10 o'clock.

TUESDAY, JANUARY 11, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer, by the Rev. Mr. Hoskins of the city of Jackson.

A message was received from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have adopted the following resolutions:

Resolved, That so much of the Governor's message as relates to the teaching of the blind, and a lunatic assylum, be referred to a joint select committee of three on the part of the Senate, and — on the part of the House.

The President has appointed on the part of the Senate, Messrs. Wilborne, Sharpo, and Hodges.

Resolved, That so much of the Governor's message as relates to the 500,00 acres of land, be referred to a joint select committee of five on the part of the Senate, and — on the part of the House.

The President has appointed, on the part of the Senate, Messrs. Pettus, Boone, White, Stewart, and Gray.

Resolved, That so much of the Governor's message as refers to the Chickasaw school lands, be referred to a joint select committee of five on the part of the Senate, and — on the part of the House.

The President has appointed on the part of the Senate, Messrs. Price, Greer, Beene, Bradford, and Labauve.

Resolved, The House concurring, that a joint select committee, consisting of three on the part of the Senate, and — on the part of the House, be appointed to draft a bill calling a convention of the State, to frame a new constitution.

The President has appointed on the part of the Senate, Messrs. Boone, Stewart and Gray;

In which he was instructed to desire the concurrence of the House of Representatives.

Mr. Myers presented the memorioal of Isaac E Carter, a citizen of the county of Perry, praying relief for assessing a portion of said county in 1846; which,

On motion of Mr. Myers,

Was referred to the committee on claims.

On motion of Mr. Clayton,

Leave of absence was granted Mr. Carroll during his indisposition.

Messrs. Dampier, Foree, West of Wayne, Walker, Hancock, Fortson, Brooke, and Stanton, presented sundry claims;

Which were referred to the committee on claims.

Mr. Dilworth presented the claim of Martin Savage, tax collector of Tishemingo, county, in the years 1841, 2, 3, and 4; which,

On motion of Mr. Dilworth,

Was referred to the committee on propositions and grievances.

Mr. Foree presented the petition of Alexander Laughlin and others, citizens of Tallahatchie county, praying the Legislature to grant the "Slackwater navigation company," the exclusive privilege of navigating Tillatoba, creek, and the extension of the charter of said company; which,

On motion of Mr. Foree,

Was referred to the committee on internal improvements.

Mr. Mason presented the petition of Cary D. Tucker, late Cary D. Runnells, praying to be released from certain judgments in favor of the State, for the purchase of Seminary lands; which,

On motion of Mr. Mason,

Was referred to the judiciary committee.

Mr. Catchings presented sundry accounts;

Which were referred to the committee on accounts.

Mr. Catchings presented the memorial of Horace Keating and others, citizens of the county of Hinds, praying remuneration for serving as jurors in the Supreme Court of Chancery, in the case of Edwin Moody vs the State of Mississippi; which,

On his motion,

Was referred to the committee on claims.

Mr. Powell presented the petition of sundry citizens of Issaquena county, praying that the location for the court house of said county, be removed.

On motion of Mr. Powell,

The petition was referred to a select committee of three.

The Speaker appointed on said committee, Messrs. Powell, Stanton, and Cox.

Mr. Bynum presented the petition of Joseph Pool, a citizen of the county of Jones, praying compensation for assessing the taxes of said county in the years 1846 and 1847; which,

On motion of Mr. Bynum,

Was referred to the committee on claims.

Mr. Huie from the committee on propositions and grievances, made the following report:

The committee on propositions and grievances, to whom was referred the claim of William Walker, have had the same under consideration, and are of opinion that said claim has been improperly referred to this committee,

And ask to be discharged from its further consideration;

Which report was received and agreed to.

On motion of Mr. Huie,

The claim set forth in said report,

Was referred to the committee on claims.

Mr. Alderson from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his Excellency the Governor, a bill of the following title, viz:

An act to incorporate Chickasaw Lodge No. 24, of the Independent order of Odd Fellows.

A message was received from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed by the Senate to inform the House of Representatives that the Senate have given leave to the introduction of bills of the following titles:

A bill to be entitled

An act for the relief of sheriffs and tax collectors;

A bill to be entitled

An act to attach the county of Claiborne to the second judicial district for the election of the judges of the High Court of Errors and Appeals;

A bill to be entitled

An act for the relief of William Isaac Bruner;

A bill to be entitled

An act to amend an act entitled an act to amend the several acts of this State in relation to free negroes and mulattoes;

A bill to be entitled

An act to amend an act to reduce into one, the several acts concerning executions and for the relief of insolvent debtors, passed June 22, 1822.

Mr. Huie from a standing committee, made the following report:

MR. SPEAKER—The committee on propositions and grievances, to whom the petition of John Patterson was referred, praying the passage of an act authorising the school commissioners in the county of Bolivar to execute to him a deed of lease to lots No. 1, 2, 3, and 4, in township No. 22, range 9 west, have had the same under consideration, and deem it expedient that the prayer of said petitioner be granted, and beg leave herewith to report a bill for that purpose, to-wit:

A bill to be entitled

An act for the relief of John Patterson;

Which was read the first time,

And the motion received and agreed to.

On motion of **Mr. Huie**,

The rule requiring bills to be read on three several days, was dispensed with,

The bill read a second time.

Mr. Huie moved the rule be further suspended,

And the bill read a third time;

Which was lost.

On motion of Mr. Huie,

The bill was ordered to be engrossed and made the special order of the day for to-morrow at eleven o'clock.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved Feb. 10, 1844, reported that they had had the same under consideration, and made sundry amendments thereto;

Which being read;

On motion of Mr. Cushman,

The report was received and agreed to;

And the bill as amended was ordered to be engrossed for a third reading on to-morrow.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled

[An act to provide for the compensation of talis jurors, reported the same back to the House without amendment, and recommended its passage.

On motion of Mr. Cushman,

The report was received and agreed to.

On motion of Mr. Simrall,

The bill was ordered to be engrossed and made the special order of the day at 3 o'clock to-day.

Mr. Cushman of the judiciary committee, to whom was referred the petition of R. B. Munson, late assessor of Holmes county, reported the same back to the House and recommended that the prayer of the petitioner be not granted, and beg to be discharged from the further consideration of the same;

Which report was received and agreed to.

Mr. Hinds by leave, introduced a bill to be entitled

An act to exempt certain persons from working on public roads in this State;

Which was read the first time.

On his motion,

The rule requiring bills to be read on three several days, was dispensed with;

Was read a second and third time forthwith,

And passed with its title as stated.

Mr. Houston by leave, introduced a bill to be entitled,

An act to refund to the officers recently engaged in raising a battalion in this State for the Mexican war, the moneys expended by them for that purpose;

Which was read the first time.

On motion of Mr. Houston,

The rule requiring bills to be read on three several days, was dispensed with,

And the bill read a second time.

On his further motion,

The House resolved itself into committee of the whole forthwith, Mr. Whitfield in the chair.

After spending some time therein,

The committee rose, reported progress, and asked leave to sit again at half past 3 o'clock;

Which was received and agreed to.

On motion of Mr. Whitfield,

The House took a recess of fifteen minutes for the purpose of preparing the Hall for the reception of the Senate to the end, that the two houses proceed to the election of a Senator to the Congress of the United States, to fill the unexpired term of the Hon. Jesse Speight, deceased.

The recess having expired the Senate, preceded by the Sergeant-at-arms, entered the Hall.

The President having announced the object of the convention,

On motion of Mr. Stanton,

The two houses resolved, that in consideration of the distinguished services rendered our common country, by the Hon. Jefferson Davis, and our unbounded confidence in his ability and integrity, that he be proclaimed by acclamation as Senator to the Congress of the United States to fill the unexpired term of the Hon. Jesse Speight, deceased.

The Secretary of the Senate and Clerk of the House, proceeded to call their respective rolls, which stands thus:

Senators voting for the Hon. Jefferson Davis, are

Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catchings, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Johnston, Kennedy, Lake, Labauve, McDugald, McAfee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, Stewart and Wilborne—31.

The Representatives voting for the Hon. Jefferson Davis, are
 Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Brumfield, Byrns, Bynum, Bond, Bardin, Brown, Brooke, Cox, Clayton, Carroll, Cushman, Cypert, Connell, Collier, Catchings, Cleveland, Campbell of Desoto, Campbell of Franklin, Duke, Davis, Dilworth, Dampier, Ellis, Echols, Fortson, Ford, Foree, Foote of Noxubee, Foote of Tippah, Gatlin, Garrett, Godfrey, Hamer, Hinds, Houston, Harrington, Hall, Hurst, Holden, Hill, Hancock, Henry, Hogue, Huie, Johnston, Lynch, Liddell, Mason, McLaurin, McInnis, Myers, Metcalf, Melton, McAfee, Moore, McWilliams, Neely, Noble, Nailor, Nash, Neill, Powell, Phillips, Ray, Stanton, Saunders, Suratt, Steger, Steele, Slade, Simfall, Stewart, Smith, Toulme, Thomas of Marshall, Torrey, Thomas of Yazoo, Thames, Valentine Weathersby, Wall, Walker, Whitfield, Weir, White, Wilds, Whitmore, Wooldridge, Wilson, Williams, West of Holmes, and West of Wayne—90.

The President then announced that the Hon. Jefferson Davis was duly and constitutionally elected Senator.

The two houses having accomplished the object of their convention, the Senate retired.

Mr. Hancock by leave, introduce a bill to be entitled

An act to provide for changing the constitution of this State;

Which was read the first time.

Mr. Hancock moved that the rule requiring bills to be read on three several days be dispensed with,

Which motion was lost.

The message from the Senate delivered this morning, making sundry references of the Governor's message,

Was then taken up.

On motion of Mr. Nash,

The blank in the first resolution was filled with the number five.

The chair appointed Messrs. Nailor, Ford, Campbell of Franklin, Catchings and White, the committee on the part of the House.

On motion of Mr. Brooke,

The blank in the second resolution was filled with the number of fifteen.

The Chair appointed, on the part of the House, the same committee as was heretofore appointed on the 500,000 acres of land, to wit Messrs. Brooke, Hamer, Nash, Hinds, Neill, Whitfield,

Thomas of Marshall, Brown, Henry, Valentine, Weathersby, Simrall, Carroll, Noble and Foote of Noxubee.

Mr. Dilworth moved that the blank in the third resolution, in relation to the Chickasaw school lands, be filled with the number of seventeen; to consist of the same committee heretofore appointed.

Mr. Nash moved to amend, by adding one member from each county where the lands were located;

Which motion was lost.

The question was then taken on Mr. Dilworth's motion,
And decided in the affirmative.

The committee are Messrs. Harrington, Dilworth, Phillips, Williams, Fortson, Bardin, Cypert, Ray, Foree, Wilson, Byrns, Cushman, Abbott, Steele, Trigg, Powell and Gatlin, on the part of the House.

Mr. Hinds moved to fill the blank in the fourth resolution with the number of five.

Mr. Metcalf moved to amend by filling the blank with the number of ten; which was lost.

On motion of Mr. Dilworth,

The blank was filled with the number of seven.

The Chair appointed Messrs. Hancock, Hinds, Cushman, Metcalf, Nash, Abbott, and Noble.

On Motion of Mr. Walker,

The House concurred in the several resolutions contained in the Message from the Senate.

A message from the Senate, by Mr. Tebo, their messenger :

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate has concurred in the amendment made by the House, to the resolution of the Senate, inviting Major Generals Zachary Taylor and John A. Quitman to visit the capital of the State during the session of the Legislature.

I am instructed, also, to inform the House that the Senate have passed a bill of the following title, to wit :

A bill to be entitled,

An act to extend the time of holding the Probate Court of Monroe county;

In which he was instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Godfrey,

The House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment,
 The special order of the day, entitled
 An act to provide for the compensation of talis jurors,
 Was read the third time.

The question was then taken on the passage of the bill,
 And decided in the affirmative by yeas and nays, as follows :
 Those who voted in the affirmative, are

Mr. Speaker, Messrs. Byrns, Bynum, Brooke, Cushman, Catchings, Cleveland, Campbell of Franklin, Dampier, Ellis, Echols, Fortson, Ford, Foote of Noxubee, Foote of Tippah, Gatlin, Godfrey, Hinds, Harrington, Hurst, Holden, Hill, Henry, Huie, Johnson, Lynch, McLaurin, Metcalf, McAfee, Moore, Nailor, Nash, Ray, Stanton, Sanders, Steger, Simrall, Smith, Trigg, Torrey, Thames, Valentine, Walker, Weir, White, Whitmore, Wooldridge, Wilson, Williams, West of Holmes, and West of Wayne—51.

Those who voted in the negative, are

Messrs. Abbott, Alderson, Arnold, Bardin, Connell, Duke, Dilworth, Hogue, Melton, Neely, Neill, Phillips, Suratt, Steel, Slade, Thomas of Marshall, Whitfield—17.

The Senate bill entitled,

An act to extend the time of holding the Probate Court of Monroe county,

Was read the first time.

The special order entitled,

An act to incorporate the town of Delta, in the county of Coahoma, was taken up, read the third time,

And passed with its title as stated.

The special order, entitled,

An act to incorporate the town of Lexington, in the county of Holmes, was taken up,

Read the third time,

And passed with its title as stated.

The House then resolved itself into a committee of the whole on its special order, entitled,

An act to refund to the officers recently engaged in raising a battalion in this State, for the Mexican war, the money expended by them for that purpose;

Mr. Whitfield in the chair.

After some time spent therein, the committee rose, reported the bill back to the House as amended, and recommended its passage.

On motion of Mr. Whitfield,

The report was received and agreed to.

On his further motion,

The bill was considered as engrossed, and read the third time.

Mr. Dilworth offered the following amendment by way of a ryder :

Provided, said sum shall not exceed \$2,500,

Which was read the first time.

On motion of Mr. Whitfield,

The rule was suspended, and the ryder read the second time.

Mr. Hancock offered the following amendment to the ryder :

Amend the ryder by adding thereto as follows :

“Also, that all monies expended in transporting the troops to the place of rendezvous be refunded on the claimants producing satisfactory evidence to the proper officer of the correctness of the claim so presented.”

Mr. Hinds moved the rejection of the amendment.

Pending said motion,

On motion of Mr. Hancock,

The bill and amendments were re-committed to a select committee of five.

The Chair appointed as said committee, Messrs. Hancock, Houston, Simrall, Cushman and Hinds.

The special order, entitled,

An act to apportion the lands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes, was taken up,

Read the third time,

And passed, with its title as stated.

The special order, entitled,

An act to incorporate the Macon Female Institute, in the county of Noxubee, was taken up,

Read the third time,

And passed with its title as stated.

The special order, viz: the memorial of W. W. Yerby, was taken up, and,

On motion of Mr. Catchings,

Referred to a select committee of three.

The Chair appointed as said committee Messrs. Catchings, Slade and Hancock.

On motion of Mr. Walker,

The vote taken on a previous day, referring the petition of sundry citizens of Yalobusha and other counties, in relation to the establishing a new county, to a committee composed of one member from each of the counties adjoining the proposed new county, was reconsidered, and

On his motion,

The petition was referred to the committee on county boundaries.

On motion of Mr. Wooldridge, Messrs. Henry and Abbott were added to the committee on military affairs.

On motion of Mr. Catchings,

The Senate bill entitled

An act for the relief of Mary Colbert, was called from the orders of the day, and read the first time.

On his further motion,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Cushman,

Resolved, That until further ordered, this House will hold but one session a day, and will meet at 10 o'clock A. M. and adjourn at 2 o'clock P. M.

On motion of Mr. Lynch,

Resolved, that the Governor be requested to furnish the House of Representatives, (at his earliest convenience,) with all the information in his possession relative to the application of the twenty-five thousand dollars of the two per cent. fund received by the commissioners of the Jackson and Brandon Rail Road and Bridge Company under the 7th section of the act to incorporate the Southern Rail Road Company, approved February 23d, 1846.

On motion of Mr. Whitfield,

Mr. Wilds was added to the committee on the 500,000 acres of land.

On motion of Mr. Dilworth,

Resolved, That the Auditor of Public Accounts inform this House what sums have been expended for the increase of the State

Library during the last four years, distinguishing between the sums paid for law books and the amount paid for miscellaneous books, globes, maps, &c.

Mr. Campbell of De Soto, gave notice, that he would, on Wednesday next, or at some future day, introduce a bill to be entitled,

An act to repeal an act entitled an act for the protection and preservation of the rights of married women, approved February 28th, 1846.

On motion of Mr. Stewart,

The House adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 12, 1848.

The House met pursuant to adjournment.

Its deliberations opened with prayer by the Rev. Mr. Hoskins, of this city.

A message was received from the Senate, through their messenger, Mr. Tebo.

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have adopted the following joint resolution:

Resolved, The House concurring, that a joint select committee, of five on the part of the Senate, and ——— on the part of the House be appointed, and to that committee be referred all the petitions of the settlers upon the State and school lands.

The President has appointed on said committee, on the part of the Senate, Messrs. Alcorn, Beene, Dabney, White, and Bradford.

In which the concurrence of the House was desired.

I am also instructed to inform the House that the Senate have given leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act to repeal the incorporation of the town of Gallatin, and for other purposes;

A bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State;

A bill to be entitled,

An act to incorporate the Franklin lodge No. 5, of Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

Mr. Stanton presented the petition of J. A. T. Midderhiff and others, of the city of Natchez, praying the Legislature to grant a charter to the German benevolent society of Natchez; which,

On motion of Mr. Stanton,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Stanton, Campbell of Franklin, and Simrall.

Mr. Cox presented the petition of Abraham Seessell and others, citizens of the city of Natchez, praying that the Legislature would grant the "Hebren Ketusha" corporate privileges; which,

On motion of Mr. Cox,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Cox, Nailor, and Torrey.

Mr. Smith presented the petition of sundry citizens of Bolivar county, praying the passage of a law for the erection of a levee in said county; which,

On his motion,

Was referred to the committee on internal improvements.

Messrs. Bond, Davis, and Weathersby, presented sundry claims, Which were referred to the committee on claims.

Mr. Hinds presented the petition of sundry citizens of Itawamba county, praying for an appropriation out of the 500,000 acres of land for the improvement of Tombigbee river &c.;

Which was referred to the joint committee on the 500,000 acres land.

Mr. Dilworth presented the petition of sundry citizens of Tishomingo county, praying an amendment to the "dowry law;"

Which was referred to the judiciary committee.

Mr. Simrall presented the petition of sundry citizens of Wilkinson county, praying the enactment of a law for the relief of the town of Woodville; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Simrall, Stewart, and Hurst.

Mr. Slade presented the petition of John M. Sharpe and others, citizens of the county of Yazoo, praying the passage of a law; appointing commissioners to collect and sell all property, realty and personalty, of Cornelius O'Sullivan, a native of Ireland, who was killed at the battle of Buena Vista, &c.; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Slade, Nash, and West of Holmes.

Mr Torrey, from the select committee to whom was referred the petition of Jackson Darden, a minor, reported a bill of the following title, to wit:

A bill to be entitled,

An act to remove the civil disabilities of Jackson Darden, a minor of Jefferson county;

Which being read,

Was received and agreed to.

Mr. Torrey moved,

That the rule requiring bills to be read on three several days, be dispensed with;

Which motion was lost.

Mr. West, from the select committee to whom was referred the petition of John McLellan, reported a bill of the following title, to wit:

A bill to be entitled,

An act for the relief of John McLellan;

Which being read,

Was received and agreed to.

Mr. West moved, that the rule requiring bills to be read on three several days, be dispensed with;

Which motion was lost.

Mr. Hancock, from the select committee, to whom was referred

A bill to be entitled,

An act to refund to the officers and soldiers recently engaged in raising a battalion in this State for the Mexican war, the moneys expended by them for that purpose;

Reported a new bill as an amendment, of the following title, to wit:

A bill to be entitled,

An act to refund to the officers and soldiers recently engaged in raising a battalion in this State for the Mexican war, the moneys expended by them for that purpose;

Which was read the first time,

And the report received and agreed to.

Mr. Metcalf offered the following amendment:

Provided, That all the provisions of the bill extend and apply to the first and second regiments having been raised in this State.

Which amendment was adopted by yeas and nays, as follows:

Those voting in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Brown, Brumfield, Bynum, Byrns, Campbell of Desoto, Carroll, Catchings, Clayton, Connell, Cox, Cushman, Dilworth, Ellis, Foote of Tappah, Ford, Foree, Garrett, Godfrey, Hall, Harrington, Henry, Hill, Hinds, Hogue, Holden, Johnston, Lynch, Mason, McLaurin, Metcalf, Moore, Myers, Nash, Sanders, Simrall, Stanton, Steger, Thomas of Marshall, Weathersby, White, Whitmore, Wilson—46.

Those who voted in the negative, are,

Messrs. Barden, Bond, Campbell of Franklin, Cleveland, Collier, Davis, Duke, Echols, Foote of Noxubee, Fortson, Gatlin, Hancock, Houston, Huie, McLinnis, Melton, Nailor, Neely, Neill, Noble, Philips, Ray, Slade, Smith, Steele, Stewart, Suratt, Thomas of Yazoo, Torrey Toulme, Trigg, Valentine, Walker, Weir, West of Wayne, West of Holmes, Wilds, Williams, and Woolbridge—40.

On motion of Mr. Houston,

The bill with the amendment, was laid on the table.

A message was received from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed by the Senate to inform the House of Representatives, that the Senate have adopted the following joint resolution:

Resolved, That so much of the message relating to the Mexican war, be referred to a joint committee to be raised on State and Federal relations.

The President has appointed on the part of the Senate, Messrs. Boone, Gray, and Harrison.

In which I am instructed to desire the concurrence of the House of Representatives.

The House then proceeded to the consideration of its special order, to wit:

A bill to be entitled,

An act for the relief of John Patterson;

Which was read the third time,

And passed with its title as stated.

Mr. Cox, from the committee to whom was referred the memorial of the Trustees of the State Hospital at Natchez, made the following report:

The committee, to whom was referred the memorial of the trustees of the State Hospital at Natchez, asking an appropriation of six thousand dollars, to be paid in three annual instalments, for the purpose of repairing the hospital, erecting other and necessary edifices or apartments, and to purchase articles for the comfort and convenience of said institution, beg leave to report that they have made strict inquiry into the condition of said building, from the best and most reliable sources of information, and have come to the conclusion, that, unless an appropriation is shortly made for the repair of said hospital, it must inevitably dilapidate and go to ruin; and, that, from the increasing casualties attending the navigation of the Mississippi river; and the annual epidemics which prevail on that stream, where thousands of persons are daily passing and repassing, it becomes absolutely necessary to enlarge said hospital by erecting additional departments or edifices.

Your committee believing that it will take at the lowest estimate the sum of six thousand dollars, to make the repairs and improvements before mentioned; your committee are of the opinion that the importance of maintaining and fostering this institution, cannot be too urgently and zealously pressed upon the attention of the legislature.

It was presented to the State by the corporation of Natchez, in the year 1838, and was by an act of the legislature, of February 14th, 1839, incorporated by the name and style of "the State Hospital of Mississippi at Natchez."

It was then deemed important that (from the position and the epidemics and calamities incident to the climate and the stream near which it is located) such an institution should be owned and fostered by the state; and, unless the state continues to extend to it, its protection and aid, it would be much better for it to be returned

to the hands of the donors; for, without some timely aid, the building will become wholly useless, and the thousands who are annually placed in it for relief from disease and mistortune must be left to die without medical aid or be thrown upon the charity of other states whose pride and benevolence have prompted them to erect and foster such institutions. Your committee are sensibly struck with the importance of such an institution at Natchez, to the citizens of the northern, middle and western portion of the state, whose citizens trade with New Orleans and are most generally visited with the diseases and epidemics incident to New Orleans, and without the hospital to receive them, and extend them timely assistance and medical attention, they would be left to the charity of the citizens or to perish without aid. Other states have erected institutions of the kind convenient to the Mississippi river, and annually bestow upon them large appropriations for the purpose of keeping them in progress and perpetuating the blessings that flow from them, and your committee confidently believe that the State of Mississippi, with its immense resources and her increasing wealth, will in a spirit of benevolence and liberality continue to uphold and perpetuate the State Hospital at Natchez. Your committee therefore beg leave to report the accompanying bill, with the following title, to wit :

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi, at Natchez.

Which report was received and agreed to, and the bill read the first time.

Mr. Foote of Noxubee, moved that the rule requiring bills to be read on three several days be dispensed with,

Which was lost.

Mr. Huie, from the select committee to whom was referred the bill chartering the Mississippi Manufacturing Company, reported that they had had the same under consideration, and instructed him to report the same back to the House with sundry amendments thereto, and recommend its passage as amended;

Which was received and agreed to,

And the bill as amended, ordered to be engrossed and made the special order of the day for a third reading, on to-morrow, at 10 o'clock.

Mr. Abbott, from the select committee, to whom was referred the petition of Mr. Wm. Cady and Julia E. Cady, reported a bill to be entitled,

An act to change the names of Caroline Thomas Smith, Martha Jane Smith and Robert Smith,

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Connell,

The rule requiring bills to be read on three several days, was dispensed with,

And the bill read a second time.

On his further motion,

The bill was considered as engrossed, read the third time,

And passed with its title as stated.

A message was received from the Senate, by Mr. Tebo, their messenger :

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed bills of the following titles, to wit :

A bill to be entitled,

An act for the relief of S. S. Evans.

A bill to be entitled,

An act for the relief of Wm. Isaac Bruner.

A bill to be entitled,

An act to attach the county of Claiborne to the Second Judicial District for the election of Judges to the High Court of Errors and Appeals.

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed bills from the House, of the following titles, to wit :

A bill to be entitled,

An act to incorporate Marshall Lodge No. 25, of the Independent Order of Odd Fellows, Lamar, Mississippi.

A bill to be entitled,

An act to incorporate Lexington Royal Arch Chapter No. 9, in the county of Lexington.

The Senate have added Mr. White, senator from the county of Issaquena, to the joint standing committee on internal improve-

ments, and Mr. Bradford, senator from Pontotoc, to the joint standing committee on state and federal relations.

Mr. Huie, from the select committee, to whom was referred the petition of sundry citizens of the county of Choctaw, praying the passage of a special act for the relief of W. P. McKinney, reported a bill with the following title, to wit:

A bill to be entitled, an act for the relief of W. P. McKinney,
Which was received and agreed to, and the bill read the first time.

Mr. Huie moved that the rule requiring bills to be read on three several days, be suspended; which was lost.

The Senate resolution raising a joint select committee of five, on the part of the Senate, and——on the part of the House, referring all the petitions of the settlers upon the state and school lands to said committee, was considered.

On motion of Mr. Nash,

The blank was filled with the number of seven.

The Chair appointed as said committee, on the part of the House, Messrs. Nash, Byrne, Dilworth, Valentine, Ellis, Myers and Williams; and

On motion of Mr. Nash,

The resolution was concurred in.

On motion of Mr. Cushman,

The Senate resolution referring that part of the message as relates to the Mexican war, to a joint committee to be raised on state and federal relations, was concurred in.

The Senate bill entitled, an act for the relief of T. S. Evans,
Was read the first time.

On motion of Mr. Walker,

The rule requiring bills to be read on three several days. was dispensed with,

The bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled an act to attach the county of Claiborne to the second judiciary district for the election of the judges of the High Court of Errors and Appeals, was read the first time.

On motion of Mr. Valentine,

The rule was suspended, and the bill read a second and third time forthwith, and passed with its title as stated.

The Senate bill entitled, an act for the relief of Wm. Isaac Bruner,
Was read the first time.

On motion of Mr. Mason, the rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Cushman, by leave, introduced a bill to be entitled,

An act further to amend the several laws of the state in relation to Courts of Probate; which was read the first time.

On his motion, the rule was suspended,

The bill read the second time, and referred to the judiciary committee.

Mr. Stanton, by leave, introduced a bill to be entitled an act to change the present mode of electing members of boards of police, and for other purposes; which was read the first time.

On his motion, the rule was suspended,

The bill read the second time, and referred to the judiciary committee.

Mr. Hinds offered the following joint resolution :

Resolved, the Senate concurring, that a joint select committee composed of one member from each of the counties in the sixth and seventh judicial districts, on the part of the House, and———on the part of the Senate, be appointed to enquire into the re-organization of said districts, and that they have leave to report by bill or otherwise; which was adopted.

The Chair appointed, as said committee, on the part of the House, from the counties composing the seventh district, Messrs. Hinds, Arnold, Duke, Thomas of Marshall, Foote of Tippah, Campbell of De Soto, Cushman and Wilson.

From the counties composing the sixth district,

Messrs. Abbott, Houston, Harrington, Huie, Cleveland, Force, Whitmore and Steel.

Mr Harrington, by leave, introduced a bill to be entitled,

An act to amend the revenue law of 1846;

Which was read the first time.

On his motion, the rule was suspended,

And the bill read a second time.

On motion of Mr. Catchings,

The bill was laid on the table.

Mr. West of Holmes, by leave, introduced a bill to be entitled

An act to repeal all laws now in force authorising or requiring sheriffs or other officers to take forthcoming bonds;

Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read second time and referred to the judiciary committee.

Mr. Mason by leave, introduced a bill to be entitled
 An act to incorporate the Vicksburg Baptist Church;
 Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

Mr. Whitfield by leave, introduced a bill to be entitled
 An act to incorporate the Columbus Trades' Union Society;
 Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 Mr. Brooke of Holmes, by leave, introduced a bill to be entitled
 An to provide for the sale of lands purchased by the State at
 tax sales;

Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second time and referred to the judiciary committee.

Mr. Toulme gave notice that he would on to-morrow, or some subsequent day, introduce a bill to be entitled

An act to change the time of holding the circuit courts in the 2d judicial district in this State.

Mr. Hill moved to call up Senate bill number five, from the orders of the day;

Which was lost.

Mr. Valentine by leave, introduced a bill to be entitled
 An act to amend an act entitled an act to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes, approved March 5, 1846;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the committee on ways and means.

On motion of Mr. Houston,

The bill entitled

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen,

Was called from the table, and placed upon the orders of the day for a third reading.

Mr. Byrne by leave, introduced a bill to be entitled

An act to repeal an act entitled an act to declare Buck Island Bayou in the county of Tunica, a navigable stream, approved Jan 24, 1844;

Which was read the first time;

On his motion,

The rule was dispensed with,

The bill read the second and third time forthwith.

And passed with its title as stated.

Mr. Hurst by leave, introduced a bill to be entitled

An act to amend an act reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as relates to the county of Amite;

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Walker gave notice that he would on some future day, introduce a bill declaring Yalobusha river a navigable stream up as high as Key's Bridge in Chickasaw county.

Mr. Foote of Noxubee, gave notice that he would on some future day, introduce a joint resolution to refer to a select committee on the part of each house, the question of re-organizing the judicial districts of the State, and increasing the number thereof.

On motion of Mr. Hancock,

Resolved, That at the request of many of the friends of the Rev. J. T. Russell, he have the use of the Representative Hall to preach in on the 4th Sabbath in January, A. D. 1848.

Mr. Hinds pursuant to notice, introduced a bill to be entitled
An act to regulate cases of bastardy in this State.

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read the second time and referred to the judiciary committee.

Mr. Simrall by leave, introduced a resolution instructing and directing the Treasurer of the State to receive from the government of the United States certain moneys therein named;

Which was read the first time.

On motion of Mr. Cushman,

Resolved, That the committee on education be instructed to inquire into the expediency of so amending the common school law of this State as to provide for the appointment of a general school commissioner, whose duty it shall be to collect all necessary information from every county of the State, relative to the establishment of a system of common schools, and report the same to the Legislature at each sitting; and also to inquire into the expediency of so amending in other respects the common school law, as better to provide for its practical application to the purposes intended by the Legislature; and that they be further instructed to inquire into the propriety and expediency of the passage of a law to give to the trustees of schools and school funds, some more efficient and summary process, by which the annual interest on the school funds in the various townships in this State may be collected.

Mr. Ford by leave, introduced a bill to be entitled

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Godfrey by leave, introduced a bill to be entitled .

An act to repeal an act entitled an act to reduce the per diem allowance of members of the boards of police, probate judges, and probates clerks of certain counties therein named, approved Feb. 23, 1846, so far as relates to the county of Winston;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith.

And passed with its title as stated.

Mr. Brooke by leave, introduced a bill to be entitled

An act to increase the fees allowed to the sheriffs as jail fees;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, ordered to be engrossed, and made the special order of the day for 3d reading 12 o'clock to-morrow.

Mr. Steele gave notice that he would on to-morrow or some early day, introduce a bill to abolish the office of assessor of taxes and impose the duties of that office upon the justices of the peace in their respective counties.

Mr. Huie offered the following resolution:

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of so amending the laws as to afford compensation to the trustees of sixteenth sections for their services;

Which was lost.

On motion of Mr. Whitfield,

Resolved, That hereafter in the transaction of morning business on Mondays, Wednesdays and Fridays, the counties shall be called for the presentation of petitions and other documents, and no other days.

The hour of two having arrived,

On motion of Mr. Steele,

The House adjourned until to-morrow morning 10 o'clock.

THURSDAY, JANUARY 13, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer by the Rev. Mr. Hoskins, of the city of Jackson.

The Speaker presented the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, Jackson, January 12, 1848.

Hon. John J. McRae,

Speaker of the House of Representatives:

Sir: A resolution adopted by the House of Representatives on the 11th instant, was communicated to me this morning, requiring me to inform them "what sums have been expended for the increase of the State Library during the last two years, distinguishing between the sums paid for law books, and the amount paid for miscellaneous books, globes, maps, &c."

I have examined the vouchers of every item of expenditure connected with the Library, and there is no information to be derived from them responsive to the resolution of the House.

The reason is that the funds disbursed for the increase of the Library are drawn by warrants issued upon the requisition of the Governor, as President of the Trustees of the Library, which does not in any instance state to the Auditor the items of the claims for the payment of which the warrants are ordered.

These accounts I presume are kept by the Trustees of the State Library, for they are required by the 3d sec. chapter 24, Howard & Hutchinson's Digest, to "report to the Legislature biennially, the manner in which the money received by them during the two preceding years has been expended, together with a true and perfect catalogue of all the books, maps and charts then remaining in the Library."

I have the honor to be, very respectfully,

Your obedient servant,

GEO. T. SWANN, Auditor of Public Accounts.

The Speaker also presented the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, Jackson, January 12, 1848.

To the Hon. John J. McRae,

Speaker of the House of Representatives:

Sir: I herewith hand you, to be laid before the House of Representatives, the Auditor's report, showing the receipts and expenditures of the public monies, from the 24th day of November, to the 31st day of December, 1847, both inclusive, embracing

the period since I entered upon the discharge of my official duties.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. T. SWANN, Auditor of Public Accounts.

AUDITOR'S OFFICE, Jackson, January 12th, 1848.

To the Honorable Legislature of the State of Mississippi:

The act approved March 2d, 1833, requires the Auditor of Public accounts, "at the commencement of every session of the Legislature, to make to them a detailed report of the receipts and expenditures of the public moneys, for the term succeeding his last report."

I received my commission, and entered upon the discharge of my duties on the 23d day of November last. The current business of the department since that date has deprived me of the time necessary to make the examination of the books, papers and vouchers of the office, which would be essential to render a detailed report, since the last regular report of my predecessor, at all reliable. He has made a full report, however, to His Excellency, the Governor, of all the financial interests of the State, so far as information exists in this office, up to the termination of his official term, inclusive of the 23d of November. This has been communicated to the Legislature by His Excellency, and will be found to contain all the information required of this office up to that period, together with a number of statistical tables, the result of great labor on his part, and containing a vast variety of information concerning the revenue means of the State, which cannot fail to be interesting and useful to the Legislature and the people. I beg, therefore, to refer your honorable body to that document, as a report of the receipts and expenditures up to the 23d of November last, in connection with the following report of the same since my induction into office, embracing the period from the 24th November last, to the 31st day of December, 1847, both days inclusive.

The amount of pay-warrants on the Treasury, issued from the 24th November, 1847, to the 31st December,

1847, both days inclusive, is	-	-	\$10,008 94
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The amount of receipts into the Treasury, by warrants, from the 24th day of November, 1847, to the 31st

December, 1847, both days inclusive, is - \$2,573 41½

The items of expenditure on account of which the above amount of pay warrants was issued, is as follows, to-wit:

On account of Judiciary department,	\$3,705 16
“ “ “ Penitentiary “	3,512 54
“ “ “ Contingent Fund of Ex-	
ecutive department, - - -	1,103 85
On account of Militia department,	25 00
“ “ “ the soldiers of the Re-	
volution, - - -	203 00
On account of commissions for asses-	
sing, - - -	1,012 68
On account of public printing, -	276 92
“ “ “ Vaccine agency, -	100 00
“ “ “ Contingent Fund State	
Library, - - -	17 79
On account of Auditor's Contingent	
Fund, - - -	52 00

Making the total expenditures as above stated, \$10,008 94

The sum of receipt warrants, issued during the same interval, consists of the following items, viz:

On account of Seminary Fund, -	\$784 08
“ “ “ Sinking Fund, -	480 00
“ “ “ State tax of 1846, -	475 39½
“ “ “ Redemption of lands	833 94

Making total receipts as stated, - - \$2,573 41½

I am required by the act of July 25, 1843, to “report to each branch of the Legislature, a detailed estimate of the receipts into the Treasury to be anticipated, and of the expenditures of public moneys that may be required during the two years thence next ensuing.” In compliance with this act, I subjoin the following estimate, premising, that it is necessarily in a great degree conjectural, and liable in essential respects, to be modified by enactments during your present session. I assume, as bases of the estimates, the present rates of taxation, and the assessments of 1846 and

1847, in connection with the reported allowances to collectors and assessors, and payments on different accounts during the year 1847.

ESTIMATE of Expenditures for 1848 and for 1849.

	For 1848.	For 1849.
Judiciary department, . . .	\$80,000 00	\$80,000 00
Legislative " . . .	50,000 00	
Appropriations " . . .	30,000 00	
Commissions for assessing, . . .	12,000 00	8,000 00
Public Printing, . . .	8,000 00	3,000 00
Seminary Fund, . . .	5,000 00	5,000 00
Contingent Fund Executive departm't	4,000 00	4,000 00
Contingent Fund, Auditor's Office,	1,500 00	1,500 00
Penitentiary department, . . .	10,000 00	10,000 00
Revolutionary Soldiers, . . .	2,000 00	2,000 00
Militia, . . .	1,500 00	1,500 00
State Library, . . .	1,000 00	1,000 00
Repairing Fund, . . .	500 00	500 00
Executing tax deeds, . . .	7,500 00	7,500 00
Elections, . . .	2,200 00	
Common Schools, . . .	500 00	500 00
Vaccine Agency, . . .	400 00	400 00
Executed Slaves, . . .	1,500 00	1,500 00
Contingent Fund Library, . . .	200 00	200 00
Executive department, . . .	9,200 00	9,200 00
Interest on Funded Debt, . . .	1,950 00	1,950 00
Recording State Deeds, . . .		1,000 00
Miscellaneous, . . .	2,000 00	2,000 00
	<u>\$230,950 00</u>	<u>\$140,750 00</u>

The receipts into the Treasury for the years 1848 and 1849, if the rate of taxation remain as now fixed by law, and there should be no material change in the personal assessments for the two years, I estimate as follows:

Total assessments, including additional land tax,	
\$517 62, for 1848, . . .	\$376,038 95
Total assessments for 1849, including additional	
land tax after 1848, of \$2,146 79, will be	378,185 74
Gross receipts for the years 1848 and 1849. . .	\$754,224 69
But from these is to be deducted, for	

estimate of insolvencies in 1848,	\$27,000 00	
Commissions for collecting,	- 10,800 00	
Commissions for assessing,	- 1,300 00	
Tax on State lands,	- 1,000 00	
Taxes and cost of lands sold to the State,	- 10,000 00	
Making total allowances to collectors for 1848,	- \$50,100 00	
And the same for the year 1849,	50,100 00	
Making,	-	\$100,200 00
Estimated nett receipts for the years 1848 and 1849,	\$654,024 69	
From this sum, deduct the probable amount of expenditures for the same periods: say,	- 371,700 00	
And we have a probable excess of receipts for the two years, of	-	\$282,324 69

It is required of me, by law, with this report, "to point out any defects, if such there be, in the existing revenue laws, and to suggest the proper remedies therefor, together with such plans as he may deem advisable for improving or increasing the revenue."

Aware of the impolicy of frequent changes of the rate of taxation in the State, and having had very little time from the current business of the office for extended consideration, I submit the subject entirely to the superior wisdom of the Legislature, and confine myself entirely to a few suggestions with a view to the amendment of the existing laws for the collection of the revenue.

The privilege granted to non-residents, of paying their State and county taxes at this office, has proven a great convenience to our citizens. As it becomes more generally known, it is more frequently exercised; and the numerous calls for the purpose, with the necessary reports to the several collectors, constitute a large addition to the labors of this office. The provisions of the 68th section of the revenue law of 1846, however, are materially defective in two particulars: first—It is not made the duty of the boards of police to cause the annual county levies to be certified to the Auditor before the period (1st September,) when non-residents may commence their payments of taxes to him. Frequent disappointments occur for want of this information, which can only be ob-

viated by requiring the boards of county police to make their annual levies at some stated period in July or August, and to cause the same to be immediately certified to this office. Some such arrangement is essential to ensure conformity in the collections here, with those made by the collectors in their respective counties.

Secondly—Non-residents are authorised by the 68th section, to pay their taxes due on any property in other counties than those in which they reside, at any time between 1st September and the 1st January, in any year; and by the 8th and 24th sections of the same act, the copies of the assessment rolls of the real and personal estate, are not required to be certified before the 15th day of November, to this office. It will be seen, therefore, that from the 1st of September to the 15th of November, in every year, there is an entire want of information in this office, necessary to enable the Auditor to settle with non-resident tax payers, as designed by the 68th section.

The period for payments may be safely extended to the middle of February, and still leave a sufficient time for the returns to be made to the collectors before the 1st of April, appointed by law for the sale of lands on which the taxes are not paid. These suggestions are respectfully submitted to your honorable body with the view of promoting the convenience of non-residents, who are subjected to heavy expense in traveling to the different counties to pay their taxes, or in employing separate agencies for the purpose.

This improvement of the law will contribute largely to diminish the quantity of lands sold to the State for taxes.

Many of the assessment rolls of personal property are not returned within the period required by law. The delay is not chargeable so much to the officers, as to the fact that the law authorises the taxable inhabitants of the counties to furnish the lists of their taxable property to the assessors at any time previous to the 1st day of September, and the assessors are compelled to await that period before they can proceed to make the double assessment of taxes imposed by the law for delinquency in rendering their taxable lists. They are consequently under the necessity of a second visit to delinquents after that period, in order to make out the lists. The labor of the assessors is thus nearly doubled; and the failures to return their rolls are not surprising. Up to this period no returns have been made to this office of the assessments

of personal property for 1847, from Clark, Jackson and Marion counties. Promptitude in this respect is of the greatest importance to a right estimate by the Legislature of the revenue means of the State; and in order to enable the Auditor to communicate the requisite information in his annual reports to the Legislature and the Executive. If the taxable inhabitants were required by law, to meet the assessors at some central point in their respective police districts, on days to be appointed by them, with due notice, in the months of May or June, as they are required to meet the tax collectors in December, and the assessors were required peremptorily to assess every delinquent with double taxes, and to return a list of all such on oath, all difficulty from this cause would be removed, and the rolls be returned in due time. I beg leave, therefore, respectfully to suggest to your honorable body, an amendment of the 5th section of the law of 1846 with this view.

In case of motions against defaulting tax collectors, the notification to the collector, either in or out of office, and his sureties, is required by the statute to be served by the coroner of the county. There is no provision for service in any other way, in case of a vacancy in the officer of coroner, or where that officer is disqualified by interest or other cause. It has been held by the courts that a service by a coroner under the statute, in case of motion, is essential. In the case of a defaulting collector in one of the counties, for a portion of revenue due some time since, I am now prevented from instituting a motion on this account. No adequate reason seems to exist why the sheriff may not be required by law to serve the notice on a defaulter and his sureties after his term expires, or a justice of the peace, or any credible person, in cases where there is no coroner or one interested in the motion. It is true that redress on the official bond of the collector may be had in the usual form of an action on the bond, in which process may be served by a sheriff; but the remedy by motion being more summary, and attended with less complexity of pleading, I suggest the expediency of the Legislature simplifying and rendering it more effectual by suitable enactments for that end.

The Legislature will perceive from the report of my predecessor, that there is a very large amount of land held by the State by purchase for taxes, which has not been redeemed. An extension of the period for redemption by "the owners" of land until the 11th

February, 1848, was made in 1846, as to those lands in which the right had then expired. A large quantity of these is still unredeemed; and though the State holds a tax title, the lands produce no revenue. The confinement of the privilege of redemption of these lands to "the owners," and the difficulty of settling the question of ownership, may have retarded the redemption to some extent. The further extension of the time as to all lands so held by the State, under the sales of 1842 and 1843, after the 11th February, 1848, and the execution of a quit claim by some authorized officer of the State, on payment of all the taxes in arrear and the original costs of sale, with some moderate rate of interest, would doubtless redound to the interest of the State. A law similar in its provisions, I am informed, has been productive of salutary results in our sister State of Arkansas. It would certainly render the lands redeemed at once productive of revenue to the State and counties interested, instead of being a charge annually on the State revenues from other sources. Another inducement to the enlargement of the time and the extension of the right as a general one to all persons, exists in the fact that in many cases of sale in 1842 and 1843, the title of the State under the tax sale is doubtful. Prior to the introduction of the provision in the acts of 1844 and 1846, rendering the deed of the collector *prima facie* evidence of the regularity of the sale, liable only to be rebutted by affirmative evidence of fraud or neglect in the officer, all the preliminary requisites to the sale were required to be affirmatively proven to maintain a title derived through it; and this rule applies to all the sales to the State in 1842 and 1843. Great looseness prevailed in most of these sales: the evidence necessary to give validity to them will in a few years be beyond reach, if it ever existed; and years hence, after having lost the State revenues from the time of sale, and paid the county taxes upon them, the claim of the State in an action of ejectment may be declared null. Great loss, I apprehend, may be avoided in the way indicated; for other claimants of land so situated, will prefer a quit claim from the State at a moderate price, to encountering the delay, hazard and expense of a law suit.

The amount of taxes and costs paid by the State for deeds, now locked up, if I may so term it, in these lands, according to a rough estimate I have made from the file book of my predecessor, is

about forty-eight thousand dollars, exclusive of the amount since paid by the State for county taxes on the same; and the realization of this amount or any considerable portion of it, by proper enactments will receive, I doubt not, the careful consideration of the Legislature.

Should such be the determination of the Legislature, and the business be assigned to this office, I recommend that a certificate of the redemption, under the seal of the office, should be allowed as evidence of the fact in lieu of a deed, and required to be recorded as such in the county where the land lies. I would also respectfully suggest a more definite provision by law as to the compensation to be allowed on redemption, and the creation of an additional clerkship in this office in connection with the redemption of lands and receipt of taxes. I have been acting since I entered upon my duties, on the construction placed upon the several laws on this head by my able predecessor, and received the same commissions on the monies paid for the redemption of lands purchased under the sales of 1842 and 1843, as allowed the Auditor on receipt of taxes, and a fee of fifty cents in each case of redemption under the sales of 1847, corresponding with the allowance for the same service to the clerks of probate, under the act of 1846. The construction seems reasonable, but I respectfully ask that the subject may be placed beyond the necessity for construction by definite enactment. The labor in this business and the receipt of taxes, subtracts to a great extent from the time which ought to be devoted by the Auditor to his business correspondence, to the accounts and books of the office, and to a cautious investigation of claims in behalf of and against the State, involving large amounts in the aggregate, but presented always in small sums separately.

I would ask leave again to call the attention of the Legislature to the difficulty of determining, under existing laws, what claims growing out of criminal prosecutions, are payable out of the State, and what out of the county treasury.

The act of 1844 placed a fund of fifteen hundred dollars annually under the control of the Auditor, subject to the approval of the Governor, for the purchase of "all needful supplies of books and stationery and fuel for the Legislature and State officers." Conformably with the previous practice of this department, I have hired a servant for the purpose of making fires, bringing water

and sweeping out the rooms appropriated to the State officers, and have also paid for cutting the wood provided for the Legislature and those officers. The power to do so is not granted in express terms, but is fairly to be inferred as the offices are open for the transaction of the public business.

I have not construed this act to refer to the court rooms in the Capitol, because an allowance is made by law for bailiffs to attend those courts, of two dollars per day. If it should be the will of the Legislature that stationery and fuel should be furnished by the State for those courts, further legislation will be necessary, according to my construction of the act of 1844.

In pursuance of the act constituting the Auditor's contingent fund, I subjoin an account of the disbursements of that fund from the 24th day of November, to the 31st day of December inclusive.

Dec. 28, 1847.	To Samuel Matthews, for 42 loads of wood furnished the State, for the Legislature, at \$1 per load,	\$42 00
Dec. 29, 1847.	To L. Julienne, for one blank tax book for the years 1847 and 1848,	10 00
	Total,	\$52 00

Respectfully submitted. Your obedient servant,
 GEO. T. SWANN,
 Auditor of Public Accounts.

On motion of Mr. Dilworth,
 The communication was laid on the table.

On motion of Mr. Liddell,
 Five hundred copies were ordered to be printed.

The Speaker also presented the memorial of the National Medical Convention, held in Philadelphia, May 1847.

To the Hon. Speaker of the

House of Representatives of Mississippi:

Sir: The following resolutions were adopted by the National Medical Convention held at Philadelphia in the month of May last:

Resolved, That it is expedient for this Convention to recommend to, and urge upon, the various State Governments, the adoption of measures for procuring a Registration of the Births, Marriages, and Deaths, occurring in their several populations.

Resolved, That the paper hereto annexed be adopted as the

voice of the Convention, be printed, signed by its Officers, and transmitted, under their direction, to all the State Governments of the Union.

In compliance with the second of the above resolutions, I have the honor to transmit to you the enclosed memorial.

Your very obedient servant,

ALFRED STILLE, Sec'y.

PHILADELPHIA, Dec. 27, 1847.

Memorial of the National Medical Convention held in Philadelphia, in May, 1847.

The United States National Medical Convention, assembled in the city of Philadelphia in May, 1847, desirous of the promotion of the true and vital interests of the people of their common country, in all their varied locations, circumstances and conditions, do respectfully recommend to the governments of the several States of the Union, the adoption of measures for a General Registration of the Births, Marriages, and Deaths, which may occur within their respective borders.

No effort need here be expended in elucidation of the more ordinary purposes for which such a registration should be universally adopted, such as proofs of lineage, rights of dower, and bequests of property. The importance of these cannot but be perceived on the least reflection.

But there are reasons more profound and far reaching, results more important to the welfare and glory of man, obtainable by this measure, which not only justify, but demand its early adoption, and thorough consummation.

There are two facts to be noticed in this connection, which may not be denied:

First. Upon the circumstances connected with the three important eras of existence, birth, marriage and death, are dependent, to a very great extent, the physical, moral and civil condition of the human family.

Second. A knowledge of these circumstances is necessary for a full comprehension of important means for the certain advancement of the population of States, in prosperity and civilization.

To the political economist and vital statist the laws which regulate and control the lives and destinies of the people of the pre-

sent, cannot be a subject of indifference; to the legislator and statesman, ignorance of them is a bar to the full appreciation of their responsibility to the people of the future. The *philosophy of increase of population* is intimately connected with, and dependent upon, the proposed measure, and can be properly learned only from its facts and deductions. In countries longer settled than ours, this science has come to be one of profound importance to those who are called to legislate for the future as well as for the present. For example:—The population of England has increased, as the census proves—and the excess of births over deaths leaves beyond a doubt—in a geometrical progression for forty years, and at a rate by which, if continued, it will double every forty-nine years. Whether the means of subsistence keep pace with that increase, or whether the density of population will, ere long, be too great for its area, are important questions to be decided by their own statesmen.

An increase of population has, however, nothing in it irresistible or inexorable; *it consists in nothing but an increase of births over deaths*—and will be suspended if the births cease to maintain the same ratio to the population; and the births may always be reduced rapidly, by retarding the period and number of the marriages, without taking into consideration the increase by immigration. Circumstanced as this country is now, with its millions of unreclaimed acres, its exhaustless resources of subsistence and wealth, in its mountains and valleys, in its mines, rivers and forests, it would be judicious to invite, even with the vast immigration to be expected, rather than discourage, an increase of a native population, by encouraging early marriages, provided that thereby immorality or misery in any form, will not advance with them.

But before we can make any recommendations on this subject, or before we can even intelligently discuss it, we must have a knowledge of the facts as they are. By commencing a registration now, our successors will be furnished with the necessary material in time for any exigency that may arise.

Conclusive evidence is furnished to us of the value of a well digested system of registration for the improvement of the people in their moral and physical condition, and in the length of their lives. From the facts obtained thereby, are deducible

the rules and inferences of health, and the sources of disease and premature mortality—many of which need but be known to be avoided. Coincident with improvements in the health and condition of individuals, are increase of years, and advancement in private and public morals, and in the strength and virtue of the State.

Among the first communities to establish a system of registration of births, marriages and deaths, was Geneva, where it was begun as early as 1549, and has since been continued with great care. The registers are there viewed as pre-appointed evidences of civil rights, and it appears that human life has wonderfully improved since they were kept. The mean duration of life increased more than *five times* from 1550 to 1833; with the increase of population, and more prolonged duration of life, *happiness also increased*: though with advanced prosperity, marriages became fewer and later, and thus the number of births was reduced, a greater number of infants born were preserved, and the number of adults—with whom lies the true greatness of the state—became larger. Towards the close of the 17th century, the probable duration of life was not 20 years—at the close of the 18th century it attained to 32 years—and now it has arrived to 45 years; while the real productive power of the population has increased in a much greater proportion than the increase in its actual number, and *Geneva has arrived at a high state of civilization*.

These results, so glorious for individuals, for the community, and for humanity, are derived from the better knowledge and understanding of the science of life and health, the data for which are furnished by the statistics of the Registers.

The information obtained by the Natural History surveys which have been made of many of the States of the Union, is directly interesting only to a very small number;—while the facts and inferences deducible from a sanitary survey and registration, interest and benefit, directly, the great mass of the people, for all are interested in their personal condition. Thus are produced in them more expanded views of the worth of life, and the necessity for its preservation; a more thorough appreciation of the importance of purity in the principal sources of its continuance, air and food; more attention to the comforts of dwellings and clothing, more refined sensibilities, greater energy, and a better regulated state of

public and private morals. These results *have been obtained in Geneva.*

In Prussia these measures are attended to in a mode deserving the highest commendation. Every fact relating to the health, lives and condition of the population, is there collected with great care by a central officer at Berlin, and published for the benefit of the people. The most beneficent results have accrued from the admirably arranged statistical returns made for several years past in England. Of more than one large town, but of Liverpool especially, it was ascertained that the mortality was great, and the average age at death of the population low, whereas before, the inhabitants had boasted of their salubrity and longevity. The registration has, to them, truly proved the means of increase of health and years, after removing from their eyes the scales which blinded them to their own destruction.

In many of the European states besides those mentioned, facts in connection with this subject are registered and collated, in the most scientific and systematic manner, and, to use the language of a distinguished American statist, "whatever we Americans may say to the contrary, the average longevity, in many places, where these measures have been in operation, appears greater than with us." Indeed we have no little reason to apprehend, that unless something is done to arrest the progress and pressure of the causes of premature mortality in this country, we shall be in danger of possessing only a very young and immature population. The average age of death in many of our large cities, as far as returns enable it to be shown, is under 20 years, a fact which can only be due to the unfavorable physical circumstances of the people, and their ignorance of the true means of living and avoiding disease.

The registers of the ancient Romans, which were preserved with great care, and recorded the births, sexes, periods of puberty, manhood, age at death, etc., kept by order of Domitius Ulpianus, prime minister of Alexander Severus, afford us the means of ascertaining the mean duration of life in Rome nearly 2000 years ago, and comparing this with the results of estimates made at the present day in places where similar records are kept, we are thus enabled to establish the gratifying fact of the great extension of the average period of human life in various cities and countries.

Of the results obtainable by the suggested measure, in connection with the census returns now regularly made in each of the United States, not the least important and desirable are *tables exhibiting the probabilities or expectation of life*.

By this simple and elegant method, the mean duration of life, uncertain as it appears to be, and as it is, with reference to individuals, can be determined with the greatest accuracy in nations, and in still smaller communities. This is important, not merely in reference to the payment of life annuities, and the business of life insurance, whose great value is but just beginning to be felt in this country, but it is of inestimable interest as determining to individuals their probabilities of living in their different classes, occupations, locations, and habits. "As it might be expected from the similarity of human organization, that all classes of men would, *cæteris paribus*, live, on an average, the same number of years, it becomes important to ascertain whether this be the case, and if it be not, to determine to what extent life is shortened in unfavorable circumstances. The Life Table answers this purpose, and is as indispensable in sanitary inquiries as the barometer or thermometer, and other instruments in physical research. Upon applying it to any number of well-selected cases, the influence of any external cause, or combination of causes, can be analyzed; while without its aid, and extended observation and calculation, we are liable to be misled at every step by vague opinions, well concocted stories, or interested statements, in estimating the relative duration of life; which can no more be accurately made out by conjecture, than the relative diameters of the sun, moon, and planets of our system." *Fifth Annual Report of the Registrar-General in England*.

If these things are so, and of their truth there cannot remain the shadow of a doubt, it is plain that with this measure are entwined the highest earthly interests of humanity, and it belongs to the legislators of the New World, the guardians and custodians of the interests and glory of the American Republic, to consider well ere they longer postpone the adoption of a measure so essential thereto. "A comparison of the duration of successive generations in England, France, Prussia, Austria, Russia, America, and other States, would throw much light on the physical condition of their respective populations, and suggest to scientific and benevolent individuals in every country, and to the governments, many ways

of diminishing the sufferings, and meliorating the health and condition of the people; for the longer life of a nation denotes more than it does in an individual—a happier life—a life more exempt from sickness and infirmity—a life of greater energy and industry—of greater experience and wisdom. By these comparisons, a noble national emulation might be excited, and rival nations would read of sickness diminished, deformity banished, life saved—of victories over death and the grave—with as much enthusiasm as of victories over each other's armies in the field; and the triumph of one would not be the humiliation of the other, for in this contention none would lose territory, or honor, or blood, but all would gain strength.—(*Idem.*)

JONATHAN KNIGHT, M. D., (Conn.) President.

ALEX. H. STEVENS, M. D., N. York.

GEORGE B. WOOD, M. D., Pa.

A. H. BUCHANAN, M. D., Tenn.

JOHN HARRISON, M. D. La. Vice Presidents.

RICHARD D. ARNOLD, M. D., Ga.

ALFRED STILLE, M. D., Pa.

F. CAMPBELL STEWART, M. D., N. Y. Secretaries.

On motion of Mr. Brooke,

The memorial was referred to the committee on education.

The House then proceeded to the consideration of the special order, to-wit: a bill to be entitled,

An act to incorporate the Mississippi Manufacturing Company;
Which was read the first time.

Mr. Cushman offered the following amendment by way of ryder;
Which was read the first time.

On his motion,

The rule was suspended,

And the ryder read a second and third time forthwith, and adopted; and the bill with its ryder passed:

Ordered, That the title stand as stated.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled,

An act to repeal all laws now in existence, making judgments rendered by justices of the peace, in civil cases, liens on the property of defendants in judgments,

Reported the same back to the House, and recommended that

it do not pass; and prayed to be discharged from its further consideration.

Mr. Cushman moved, that the report be received and agreed to.

Mr. Foote of Noxubee, asked for a division of the question, and the question was taken on receiving,

And decided in the affirmative.

The question was then taken on agreeing,

And decided in the affirmative.

Mr. Alderson, from the joint standing committee on enrolled bills, reported that they had examined bills of the following titles, to wit:

An act to incorporate Lexington Royal Arch Chapter No. 9, of free and accepted Masons;

An act for the relief of Mary Colbert;

An act to incorporate Marshall Lodge, No. 25, Independent Order of Odd Fellows, Lamar, Mississippi;

And find the same correctly enrolled.

The House proceeded to the consideration of its special order, to wit:

A bill to be entitled,

An act to increase the fees allowed to the sheriff's as jail fees;

Which was read the third time;

And the question taken upon its final passage,

And decided in the negative.

A message was received from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed a bill of the following title to wit:

A bill to be entitled,

An act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the moneys expended by them for that purpose;

In which I am instructed to desire the concurrence of the House of Representatives.

The bill accompanying the foregoing message was read the first time.

On motion of Mr. Simrall,

The rule was suspended,

And the bill read the second time forthwith.

On the further motion of Mr. Simrall,

The House resolved itself into committee of the whole on said bill,

Mr. Cushman in the chair;

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage.

On motion of Mr. Cushman;

The report was received and agreed to;

And the bill read the third time forthwith,

And passed with its title as stated.

Mr. Wooldridge, from the joint select committee on the part of the House, who were appointed to communicate with Major General Zachary Taylor and John A. Quitman, and invite them to the capitol during the present session of the Legislature as distinguished guests of the State, reported:

That, upon consideration, they have determined that the most effectual way of accomplishing the object for which they were appointed, is, to wait on those two distinguished individuals in person, and inform them of the desire of the Legislature; and for that purpose, have selected a portion of their number to perform that duty as soon as practicable;

Which was received and agreed to.

Mr. Whitfield, by leave, introduced a bill of the following title, to wit:

A bill to be entitled,

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

Which was read the first time.

On motion of Mr. Whitfield,

The rule requiring bills to be read on three several days, was suspended;

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Cushman, by leave, introduced the memorial of the trustees of the State university; which being read,

On motion of Mr. Campbell of Desoto,

The memorial was laid on the table, and three hundred copies ordered to be printed.

On motion of Mr. Hinds,

The House proceeded to the consideration of the inaugural address of the Governor elect.

Mr. Hinds offered the following resolution:

Resolved, That one thousand copies of the inaugural address of Governor Matthews be printed for the use of this House.

Mr Metcalf moved to amend the resolution by striking out one thousand and insert two thousand.

The question being divided, was taken on striking out and decided in the affirmative.

Mr. Steger moved to fill the blank with two thousand five hundred;

Which was lost.

The question was then taken on Mr. Metcalf's motion to fill the blank with the number two thousand, and decided in the affirmative, and the address laid on the table.

Mr. Fortson offered the following resolution:

Resolved, That the Auditor of Public Accounts be instructed to lay before this House as early as practicable, a condensed list of all the items for which warrants have been issued on the treasury, since the Auditor's report to the Legislature of 1846; and so far as practicable, to whom paid, and for what purpose; each item to be made out under the general heads as are exhibited on his books, correctly footed at the bottom of each page, and carried forward to the end of each general head, if the same has not already been done; and that he have the services of all the assistant clerks of this House that are not actively employed, if any; which,

On his motion,

Was laid on the table.

Mr. Hall, by leave, introduced

A bill to be entitled,

An act to extend the terms of the court of Probate of the county of Leake;

Which was read the first time.

On his motion,

The rule was dispensed with,

And the bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Brooke, by leave, introduced

A bill to be entitled,

An act to incorporate the Vicksburg Royal Arch Chapter No. 3;
Which was read the first time.

On motion of Mr. Brooke,

The rule was suspended,

And the bill read a second and third time, forthwith,

And passed with its title as stated.

Mr. Ford offered the following resolution:

Resolved, That the Rev. Mr. Champlin, principal of the school for the blind, be permitted to occupy the hall of the House of Representatives on to-morrow, at three o'clock, for the purpose of exercising his pupils, and that the members of the House attend the same;

Which resolution was adopted.

Mr. Hinds, by leave, introduced a bill to be entitled

An act to amend the attachment laws of this State;

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read a second time,

And referred to the judiciary committee.

Mr. Toulme, by leave, introduced a bill to be entitled

An act to change the time of holding the circuit courts in the 2d judicial district of this State, and for other purposes;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to a committee composed of one member from each county in said judicial district.

The Chair appointed as said committee, Messrs. Toulme, Bond, Stewart, Brumfield, Weathersby, McLaurin, Noble, Metcalf, Lynch, Dampier, and Holden.

On motion of Mr. Liddell,

Resolved, That the judiciary committee be instructed to report a bill declaring justices courts to be courts of record, and to provide that debtors shall not be made to answer, or be sued in any other than the justice's precinct in which he, she, or they, may reside.

Mr. Suratt offered the following resolution:

Resolved, The Senate concurring, that the joint standing committee on the Penitentiary be instructed to enquire into the expediency of leasing or renting out the Penitentiary, and that they report by bill or otherwise.

On motion of Mr. Suratt,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and the resolution read a second time and adopted.

Mr. West of Holmes, offered the following resolution:

Resolved, The Senate concurring, that a joint committee of the two houses be appointed, consisting of five on the part of the House, and — on the part of the Senate, with instructions to prepare and report to the Legislature a memorial to Congress, asking for permission to divert the Seminary fund to the support of common schools throughout the whole State.

On motion of Mr. West,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and the resolution read the second time.

Mr. Cleveland offered the following amendment:

Amend, by inserting, "and the proceeds of the 500,000 acres of land donated to this State for internal improvement.

Mr. Hinds offered the following amendment to the amendment:

Amend, by inserting, "and the Two per cent fund now in the treasury, and hereafter received by the State.

Considerable discussion arising thereon,

Mr. Brooke moved that the resolution and amendments be laid on the table;

Which was decided in the affirmative.

The hour of two having arrived,

On motion of Mr. Nash,

The House adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 14, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer, by the Rev. Mr. Hoskins of the city of Jackson.

A message was received from the Senate by Mr. Tebo, their messenger :

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have adopted the following joint resolution :

Resolved, the House of Representatives concurring, that a joint select committee of three, on the part of the Senate, and———on the part of the House, be appointed to take into consideration and report, as to the expediency of taxing the slaves of non-residents higher than the slaves of resident citizens.

The President has appointed on the part of the Senate, Messrs. Dabney, Singleton and Cannon;

In which I am instructed to desire the concurrence of the House of Representatives.

Leave has been granted by the Senate to the introduction of a bill of the following title, to wit :

A bill to be entitled,

An act to repeal an act entitled an act to establish in the city of Jackson, a vaccine depot and agency for the State, with a view to the prevention of small pox; approved March 2d, 1846.

The Senate have passed bills from the House of the following titles, to wit :

A bill to be entitled,

An act to incorporate Wildey Lodge No. 24 of the Independent Order of Odd Fellows.

A bill to be entitled,

An act to incorporate Royal Arch Chapter No. 10 of Free and Accepted Masons, in the town of Canton, Madison county.

A bill to be entitled,

An act to incorporate the Macon Female Institute, in the county of Noxubee.

The Senate have passed Senate bills of the following titles to wit:

A bill to be entitled,

An act in relation to the probate of deeds.

A bill to be entitled,

An act to incorporate Franklin Lodge No. 5 of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

A bill to be entitled,

An act to repeal an act entitled an act to repeal the incorpora-

tion of the town of Gallatin, in Copiah county, and for other purposes.

In all of which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on yesterday, sign the bill originating in the Senate, of the following title, to wit:

A bill to be entitled,

An act for the relief of Mary Colbert;

Which is herewith presented to the Speaker of the House for his signature.

On motion of Mr. Foote of Noxubee, the blank in the Senate resolution was filled with the number five, and the resolution concurred in.

The Chair appointed as said committee, on the part of the House Messrs. Foote of Noxubee, Abbott, McLaurin, McAfee and Dilworth.

The Senate bill entitled,

An act to incorporate Franklin Lodge No. 5 of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county,

Was read the first time.

On motion of Mr. Valentine,

The rule was dispensed with,

And the bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes,

Was read the first time.

On motion of Mr. Huie,

The rule was dispensed with,

And the bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill, entitled,

An act in relation to the probate of deeds,

Was read the first time.

On motion of Mr. Whitfield,

The rule was dispensed with,

And the bill read a second time.

Mr. Alderson offered the following amendment :

Amend first section sixth line, by adding after the word "state" the words "and their regular deputies."

On motion of Mr. Brooke,

The bill with the amendment, was referred to the judiciary committee.

A message was received from the Senate, through their messenger, Mr. Tebo.

MR. SPEAKER—I am instructed by the Senate to inform the House of Representatives that the President of the Senate has signed the Senate bill of the following title, to wit :

A bill to be entitled,

An act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the moneys expended by them for that purpose;

Which is herewith presented for the signature of the Speaker of the House of Representatives.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report :

MR. SPEAKER—The joint standing committee on enrolled bills, have examined bills of the following titles, to wit :

An act to attach the county of Claiborne to the second judicial district for the election of the Judges of the High Court of Errors and Appeals.

An act for the relief of Wm. Isaac Bruner.

An act for the relief of T. S. Evans.

An act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the moneys expended by them for that purpose, and have found the same correctly enrolled.

Messrs. Cox, Brooke, Ford and Wooldridge presented sundry claims, which were referred to the committee on claims.

Mr. Neill presented the petition of Mrs. Newton and Mrs. Drake, citizens of the county of Carroll praying the state to relinquish its title to certain lands therein specified to the petitioners; which,

On motion of Mr. Neill,

Was referred to to the Judiciary committee.

Mr. Bond presented the petition of Helena Wetzel, a citizen of the town of Biloxi, State of Mississippi, praying the legislature

to pass an act authorizing her to collect wharfage at the wharf known as "Wetzel's Wharf" in said town; which,

On motion of Mr. Bond,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Bond, Davis and Toulme.

Mr. Abbott presented the petition of sundry citizens of Lowndes county, accompanied with a bill praying the legislature to incorporate the Columbus Artillery Company; which,

On motion of Mr. Abbott,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Abbott, Harrington and Cleveland.

Mr. Mason presented the petition of R. R. Randolph, late clerk of the Circuit Court of Warren county; which,

On his motion,

Was referred to the judiciary committee.

Mr. Mason also presented the petition of Lyman Potter, late Justice of the Peace for the county of Adams, praying relief in certain cases, wherein the State of Mississippi was prosecutor versus sundry persons, and failed in said prosecution; which,

On his motion,

Was referred to the judiciary committee.

Mr. Connell, from the joint standing committee on claims, to whom was referred the claim of John Dean, reported the same back to the House, with a bill entitled

An act for the relief of John Dean;

Which report was received and agreed to,

And the bill read the first time.

Mr. Cox, from the select committee to whom was referred the petition of certain persons therein named, praying a charter for the Hebrew Ketusha, a benevolent society of the city of Natchez, reported the same back to the House, with a bill to be entitled,

An act to incorporate the "Hebrew Ketusha," a benevolent society of the city of Natchez;

Which report was received and agreed to,

And the bill read the first time.

On motion of Mr. Cox,

The rule requiring bills to be read on three several days, was suspended,

And the bill read a second and third time forthwith,
And passed, with its title as stated.

Mr. Stanton, from the select committee to whom was referred the petition of sundry German citizens, praying for incorporative powers, reported the same back to the House, with a bill to be entitled,

An act to incorporate the German Benevolent Society of Natchez;
Which report was received and agreed to, and the bill read the first time.

On motion of Mr. Stanton,
The rule was suspended,
The bill read a second and third time forthwith,
And passed with its title as stated.

Mr. Toulme, from the select committee to whom was referred the bill to be entitled an act to change the time of holding the Circuit Courts in the Second Judicial District and for other purposes, reported the same back to the House without amendment, and recommended its passage;

Which report was received and agreed to,
And the bill read a third time,
And passed with its title as stated.

Mr. Slade, from the select committee to whom was referred the petition of John M. Sharpe and others, for the relief of Cornelius O'Sullivan, reported the same back to the House with a bill entitled,
"An act for the relief of Cornelius O'Sullivan;

Which report was received and agreed to,
And the bill read the first time.

On motion of Mr. Slade,
The rule was suspended,
The bill read the second time, considered as engrossed,
And made the special order of the day for to-morrow at 12 o'clock.

A message from the Senate, by Mr. Tebo, their messenger :

MR. SPEAKER—The President of the Senate has signed an act, for the relief of Wm. Isaac Bruner; also, an act to attach the county of Claiborne to the Second Judicial District, for the election of the Judges of the High Court of Errors and appeals;

Which I am instructed to present to the House for the signature of the Speaker.

Mr. Powell, from the select committee to whom was referred the petition of sundry citizens of Issaquena county, praying a removal of the county seat, reported a bill to be entitled,

An act to authorize the members of the Board of Police of Issaquena county to remove the county seat of said county.

On motion of Mr. Powell,

The report was received and agreed to,
And the bill read the first time.

On motion of Mr. Cox,

The rule was suspended,
And the bill read a second and third time forthwith,
And passed with its title as stated.

Mr. Smith, from the select committee to whom was referred the petition of John V. Newman and others, citizens of Bolivar county, praying for a grant of ferry privileges across the Mississippi river, reported a bill to be entitled,

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

Which was received and agreed to,
And the bill read the first time.

Mr. Smith moved a suspension of the rule,
Which was lost.

On motion of Mr. Catchings,

The bill to provide for the disposal of the 500,000 acres of land, granted to the State of Mississippi for purposes of internal improvement &c., was called from the orders of the day, read the second time, and referred to the joint select committee on the 500,000 of land.

On motion of Mr. Godfrey,

The amendments made by the Senate to the House bill, entitled, An act to change the time of holding the Probate Court of Winston, were concurred in.

Mr. Cushman, by leave, introduced a bill to be entitled,

An act to regulate appeals and writs of error from a judgment of any court or judge in this state, sitting on the trial of any writs of "habeas corpus;"

Which was read the first and second time,
And referred to the committee on the judiciary.

Mr. Stewart, by leave, introduced a bill to be entitled,

An act to authorize the Judge of the Probate Court of Marion county to hold the terms of his court in the Probate Clerk's office of said county;

Which was read the first time.

**On motion of Mr. Stewart,
The rule was dispensed with,
And the bill read the second and third time forthwith,
And passed with its title as stated.**

**On motion of Mr. Johnston,
Leave of absence was granted to Mr. Catchings until Monday.
Mr. Nash, by leave, introduced a bill to be entitled,
An act to change the time of holding the Probate Court of Coahoma county;**

Which was read the first time.

**On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.**

On motion of Mr. Campbell of Desoto,

Resolved, That the judiciary committee be instructed to inquire into the propriety of enacting a general law extending to Masonic Lodges, Chapters, Odd Fellows and Sons of Temperance, and other benevolent associations, the rights and benefits of regularly incorporated companies, and report to this House by bill or otherwise.

Mr. Connell offered the following resolution :

Resolved, with the concurrence of the Senate, that so much of the Governor's message which relates to the printing of an additional number of the acts of the legislature and the journals of the House, be referred to a joint select committee of five on the part of the House and——on the part of the Senate, with instructions to report by bill or otherwise, at as early a day as practicable.

The rule being dispensed with,

The resolution was adopted.

The Chair appointed on the part of the House, Messrs. Connell, Wooldridge, Arnold, Thames and Collier.

On motion of Mr. Walker,

Mr. Cypert, on account of indisposition, was excused from serv-

ing on the committee on the Chickasaw school lands, and Mr. Hinds appointed in his place.

Mr. Slade, by leave, introduced a bill to be entitled,

An act to appropriate a portion of the Yazoo City Hospital fund to educational purposes;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. West of Holmes,

Resolved, That the Trustees of the State University, be requested to inform this House what compensation they receive in going to and returning from the university, including mileage and per diem.

Mr. Harrington, by leave, introduced

A bill to be entitled,

An act for the relief of John Moore;

Which was read the first time.

Mr. Harrington moved that the rule be suspended;

Which was lost.

Mr. Henry gave notice, that he would, with the leave of the House, on to-morrow or some other day, introduce a bill to provide for the establishment of a general system of internal improvement by the State of Mississippi, founded upon the proceeds of the 500,000 acre grant.

Mr. Neill gave notice, that he would on to-morrow, or some future day, introduce a bill to provide for the payment of cost in criminal cases prosecuted before justices of the peace.

Mr. Hurst gave notice, that he would, on the 15th instant or some subsequent day of the present session, introduce a bill to abolish the February term of the Southern Vice-Chancery court, which is now required to be holden at Mississippi city, Harrison county.

Mr. Brooke, by leave, introduced resolutions to the Congress of the United States, to change the terms of the act granting to this State certain townships of land for the purpose of the endowment of a seminary of learning;

Which was read the first time.

Mr. Brooke moved that the rule be suspended;

Which was lost.

The Speaker vacated his seat, and called Mr. Connell to the chair, for the purpose of introducing

A bill to be entitled,

An act for the benefit of the legal representatives of Jonathan Hunt, deceased;

Which was read the first time; and,

On his motion,

The rule was suspended,

The bill read the second time forthwith, and referred to the judiciary committee.

Mr. Cushman, by leave, introduced

A bill to be entitled,

An act to amend an act entitled an act directing the method of proceeding in courts of equity against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 27, 1842;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. West of Holmes, offered the following resolution:

Resolved, The Senate concurring, that the joint committee of both houses, on the 500,000 acres of land, donated to this State by the United States government, by an act of Congress, approved the 5th Sept. 1841, for the purpose of internal improvement, be requested to take into consideration the propriety of memorializing Congress, praying for permission to divert the proceeds from its present object, and to appropriate the interest on the proceeds thereof to the support of a general system of common schools throughout the State;

Which was read the first time.

Mr. West moved, that the rule requiring joint resolutions to lie one day on the table, be dispensed with;

Which was lost.

Mr. Whitfield, by leave, introduced

A bill to be entitled,

An act to incorporate the Covenant Lodge, No. 20, of the Independent Order of Oddfellows, in Columbus, Mississippi;
Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.
Mr. Metcalf, by leave, introduced a bill to be entitled,
An act to incorporate the Scott Lodge, No. 80, of Free and accepted Masons;

Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.
Mr. Ford, by leave, introduced a bill to be entitled,
An act to incorporate the Camden Lodge, No. 74, of Free and accepted Masons, in the county of Madison;
Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

On motion of Mr. Walker,
Resolved, That the committee on ways and means be instructed to take into consideration the propriety of so changing the revenue law of this State in relation to the mode of assessing real estate, by classifying the lands into different grades, and tax them according to quality, and report to this House.

Mr. Alderson, from the joint standing committee on enrolled bills, reported that they presented to the Governor for his approval and signature, the following bills, to wit:

An act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the money expended by them for that purpose;

An act to incorporate Lexington Royal Arch chapter, No. 9, of Free and accepted Masons.

An act to incorporate Lodge No. 25, Independent Order of Odd-Fellows, Lamar, Mississippi.

On Motion of Mr. Whitfield,
 The orders of the day were taken up.
 The Senate bill, entitled
 An act to change the time of holding the probate court of
 Hinds county;

Was read the first time.

On motion of Mr. Johnston,
 The rule was suspended,
 The bill read the second and third time, forthwith,
 And passed with its title as stated.

The Senate bill, entitled

An act to incorporate Macon Royal Arch chapter, No. 11;

Was read the first time.

On motion of Mr. Foote of Noxubee,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

The Senate bill, entitled

An act to change the time of holding the probate court of Amite
 county;

Was read the first time.

On motion of Mr. Hurst,
 The rule was suspended,
 The bill read the second and third time,
 And passed with its title as stated.

The Senate bill, entitled

And act for the relief of Zebulon P. Wardell;

Was read the first time.

The Senate bill, entitled

An act to extend the time of holding the probate court of Co-
 piah county;

Was read the first time.

On motion of Mr. Hinds,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

The House bill, entitled

An act to make notarial protests made without the limits of this
 State, on all instruments required by law to be protested, prima fa-
 cia evidence of the facts set forth in the protest;

Was read the second time; and,

On motion of Mr. Hinds,

Referred to the judiciary committee.

The House resolution, authorising and requiring the Secretary of State to furnish to the judges of the probate courts of the several counties in this State, certain reports therein named;

Was read the second time; and,

On motion of Simrall,

Referred to the judiciary committee.

The Senate bill, entitled

An act to extend the time of holding the probate court of Warren county;

Was read the first time.

On motion of Mr. Mason,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

The House bill, entitled

An act for the relief of Edward Martin;

Was read the second time, and,

On motion of Mr. Harrington,

Ordered To be engrossed for a third reading on to-morrow.

The House bill, entitled

An act to amend an act entitled an act to establish a system of common schools and for other purposes;

Was read the second time, and,

On motion of Mr. Moore,

Referred to the committee on education.

The Senate bill, entitled

An act to change the time of holding the probate court of Monroe county;

Was read the second time.

On motion of Mr. Houston,

The rule was suspended,

The bill read the third time forthwith,

And passed with its title as stated.

The House bill, entitled

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes;

Was read the third time,
And passed with its title as stated.

The House bill, entitled

An act to provide for changing the constitution of this State;

Was read the second time, and,

On motion of Mr. Connell,

Referred to the joint select committee hereafter to be raised on that subject.

The House bill, entitled

An act to remove the civil disabilities of Jackson Dardin, minor of Jefferson county;

Was read the second time.

Mr. Torrey moved that the rule be suspended;

Which was lost.

The House bill, entitled

An act for the relief of John M'Clellan;

Was read the second time.

On motion of Mr. West of Holmes,

The rule was suspended,

The bill read the third time forthwith,

And passed by yeas and nays, as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Brooke, Brumfield, Bynum, Byrn, Carroll, Clayton, Collier, Davis, Ellis, Ford, Fortson, Garrett, Godfrey, Hancock, Harrington, Henry, Hill, Huie, Hurst, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, Metcalf, Myers, Nash, Neill, Noble, Powell, Ray, Sanders, Simrall, Slade, Smith, Stanton, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weir, West of Wayne West of Holmes, White, Whitfield, Wilds, and Williams—51.

Those who voted in the negative, are:

Messrs. Abbott, Alderson, Arnold, Barden, Bond, Brown, Campbell of Desoto, Campbell of Franklin, Cleveland, Connell, Cushman, Dampier, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Foree, Gatlin, Hall, Hinds, Hogue, Holden, Houston, McLaurin, Melton, Moore, Nailor, Neely, Philips, Steele, Stewart, Surat, Thames, Thomas of Marshall, Weathersby, Whitmore, Wilson, and Wooldridge,—39.

Ordered, That the title stand as stated.

On motion of Mr. Whitfield,

Resolved, With the concurrence of the Senate, that the Librarian be directed to furnish the Auditor of Public Accounts, for the use of his office, one copy of the acts of the Legislature for each session from 1840 to 1846, both years inclusive, and one copy of Howard & Hutchinson's Digest.

On motion of Mr. Hancock,

Resolved, That this House take up the regular orders of the day, every day at 12 o'clock.

The House adjourned until to-morrow morning 10 o'clock.

SATURDAY, JANUARY 15, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer by the Rev. Mr. Hoskins, of the city of Jackson.

Mr. Liddell from the joint standing committee on the penitentiary, made the following report:

MR. SPEAKER—The joint standing committee on the penitentiary have instructed me to make the following report:

The committee have given the officers of the penitentiary such examination as in their judgment its importance required, and are of opinion that some changes are necessary in the management of the institution. As at present conducted, there is a large quantity of manufactured articles which have been on hand for a considerable length of time; these articles are handed over from one superintendent to another, at such high prices that they cannot be sold, and the result is that they remain on hand for a long time as dead capital. To obviate this difficulty the committee are of opinion, that it would be the true policy of the State to give the inspectors power to appoint three appraisers, whose duty it shall be to appraise all the articles that may be made in the penitentiary at the end of each year, and put them at such prices as they would sell for, so that the articles may be sold and turned into money. As at present conducted, the reports of the inspectors and superintendent show a gain in the affairs of the institution, but at the same time, by an examination of the reports we find, that in the year 1846, they drew from the State Treasury

\$6,573 73, and in the year 1847, they drew from the State Treasury \$6,389 48. The committee are of opinion that the State Treasury ought not to be burthened with keeping up this institution if it can be avoided, especially when the report of its managers show so large an amount of stock, tools and manufactured articles on hand as \$26,603 63. The prices of these articles should be fixed at a cash valuation, so that they could at any moment be converted into money. The committee are of opinion that the interest of the institution requires the erection of a suitable store house without the walls of the penitentiary for the disposition of such articles as are made for sale in the prison.

The committee are of opinion that the policy of manufacturing coarse cotton and woollen cloths should be continued, believing that the experiment will ultimately prove successful; and with a view to give the experiment a full and fair trial, the committee recommend the appropriation of one thousand dollars, for the purchase of power looms to enable the superintendent to make up the yarn into cloth as soon as it is spun.

To carry out the views of the committee, they report a bill and recommend its passage, which will first be introduced into the Senate. All of which is respectfully submitted.

A message was received from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for furnishing Havard College, Cambridge, one copy of all the laws, journals, reports, &c., of the State of Mississippi;

A bill to be entitled

An act to appropriate money for the relief of the Mississippi volunteers now in Mexico;

A bill to be entitled

An act authorising Benjamin F. and Jonathan Morris, of Pano-la county, to construct a rail road in said county;

A bill to be entitled

An act to change the time of holding the probate courts in the counties of Clarke and Jasper;

A bill to be entitled

An act to change the time of holding the probate court of Tippoah county;

The President of the Senate has signed the Senate bill of the following title, to-wit:

A bill to be entitled

An act for the relief of T. S. Evans;

Which is herewith presented for the signature of the Speaker of the House of Representatives.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles:

An act to incorporate Wiley Lodge No. 21, of the Independent Order of Odd Fellows;

An act to change the time of holding the probate court of Winston and Pontotoc counties, and for other purposes;

An act to incorporate the Macon Female Institute in the county of Noxubee;

An act to incorporate Canton Royal Arch Chapter No. 10, of free and accepted Masons, in the town of Canton, in Madison county;

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

And have found the same correctly enrolled.

Mr. Hancock from the committee of ways and means, to whom was referred a bill to be entitled

An act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes, approved March 5, 1846, reported the same back to the House, and recommended that it be not passed;

Which report was received and agreed to.

Mr. Walker pursuant to notice, introduced a bill to be entitled

An act declaring the Yalobusha river a navigable stream;

Which was read the first time.

On motion of Mr. Walker,

The rule was suspended,

And the bill read a second time and referred to a select committee of three.

The Chair appointed as said committee, Messrs. Walker, Huie and Ray.

Mr. Cushman by leave, presented the memorial of the board of trustees of Oakland College, praying the Legislature to make provision for the relief and enlargement of said College;

Which being read,

On motion of Mr. Cushman,

Was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Cushman, Stanton, Thomas of Marshall, Brooke and Hancock.

Mr. Cushman by leave, presented the memorial of Andrew Hutchinson, in relation to the revised code of Mississippi;

Which being read, was,

On motion of Mr. Cushman,

Referred to the judiciary committee.

A message was received from the Governor, by his private secretary, Mr. Jones:

I am instructed by his Excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act entitled

An act to incorporate Lexington Royal Arch Chapter No. 9, of free and accepted Masons; Also,

An act entitled

An act to incorporate Marshall Lodge No. 25, Independent Order of Odd Fellows, Lamar, Mississippi;

Approved January 14, A. D. 1848.

Mr. Dilworth by leave, introduced a bill to be entitled

An act to incorporate the town of Danville, in the county of Tishemingo;

Which was read the first time.

On motion of Mr. Dilworth,

The rule was suspended,

And the bill read the second time and ordered to be engrossed for a third reading on to-morrow.

Mr. Campbell of De Soto, by leave, introduced a bill to amend the limitation laws of this State;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and referred to the judiciary committee.

Mr. Henry pursuant to notice, introduced a bill to be entitled
An act to amend an act to incorporate the Canton and Jackson rail road company;

Which was read the first time.

On motion of Mr. Henry,

The rule was suspended,

The bill read the second time and ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Whitmore,

The memorial of the trustees of the State University,

Was taken up and referred to a select committee of five.

The Chair appointed as said committee, Messrs. Whitmore, Brown, Cushman, Brooke and Noble.

Mr. Brown presented the response of the trustees of the State University, to the resolution of the House, calling upon them for a statement of the mileage and per diem allowed them during the sitting of the board;

Which was read and referred to the select committee last named.

Mr. Houston by leave, introduced a bill to be entitled

An act to repeal an act entitled an act to exempt from sale under execution, certain property therein mentioned, approved January 22, 1841;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the committee on the judiciary.

Mr. Alderson by leave, introduced a bill to be entitled

An act to incorporate the Holly Springs rail road company;

Which was read the first time,

Mr. Hinds by leave, introduced a resolution in relation to the administration of James K. Polk, President of the United States;

Which was read the first time.

On motion of Mr. Simrall,

Resolved, That the use of the Hall of the House of Representatives be allowed to Professor Morris, on Monday night next, for the purpose of delivering a lecture on the subject of Geology.

The special order entitled an act for the relief of the heirs of Cornelius O'Sullivan,

Was read the third time,

And passed with its title as stated.

The House bill entitled

An act for the relief of the State Hospital of Mississippi at Natchez,

Was read the second time; and,

On motion of Mr. Foote of Noxubee,

Ordered to be engrossed and made the special order of the day for committee of the whole on Monday next at 12 o'clock.

The House bill entitled

An act for the relief of W. P. McKinney;

Was read the second time; and,

On motion of Mr. Dilworth,

The bill was indefinitely postponed.

The House bill entitled

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen,

Was read the third time; and,

On motion of Mr. Fortson,

Laid on the table.

The House resolution instructing and directing the Treasurer of the State to receive from the Government of the United States certain moneys therein named;

Was read the second time and ordered to be engrossed for a third reading on to-morrow.

The Senate bill entitled

An act for the relief of Z. P. Wardell,

Was read the second time, and referred to committee of the whole on Tuesday next at 12 o'clock.

The House bill entitled

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

Was read the second time.

Mr. Whitfield moved to strike out the second section;

Which was carried,

And the bill ordered to be engrossed for a third reading on to-morrow.

The House bill entitled
An act for the relief of John Dean;
Was read the second time.

On motion of Mr. Brooke,
The House resolved itself forthwith into committee of the whole,
Mr. Liddell in the chair.

After some time spent therein,
The committee rose, reported the bill back without amendment
and recommended its passage;

Which was received and agreed to;

The bill read the third,
And passed with its title as stated.

The House bill entitled
An act for the relief of John Moore,
Was read the second time.

On motion of Mr. Harrington,
The rule was suspended,
The bill read the third time forthwith,
And passed with its title as stated.

The House resolutions to the Congress of the United States to
change the terms of the act granting to this State certain town-
ships of land for the purpose of the endowment of a seminary of
learning &c.,

Were read the second time.

Mr. Cushman moved their indefinite postponement.

Pending said motion,

On motion

The House adjourned until Monday morning 10 o'clock.

Mr. Simrall being entitled to the floor.

MONDAY, JANUARY, 17, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer, by the Rev.
Mr. Chamberlain, President of Oakland College.

Mr. J. S. Yerger, member elect to fill the vacancy occasioned

by the resignation of A. F. Smith, of Washington county, presented his credentials and took the oath prescribed by the constitution.

Mr. Toulme presented the petition of sundry citizens of Hancock county, in relation to the seat of justice in said county; which,

On motion of Toulme,

Was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Toulme, Hurst, Bond, Davis and Stewart.

Mr. Hinds, by leave, withdrew the petition of sundry citizens of Itawamba, county, praying an appropriation out of the proceeds of the 500,000 acres of land, for the purpose of improving the Tombigbee river, from the committee on the 500,000 acres of land; and

On his motion,

Was referred with the letter of W. H. Toomer, to the committee on internal improvements.

Mr. Hinds presented the petition of sundry citizens of the county of Itawamba, praying the passage of an act declaring Bull Mountain, a fork of the Tombigbee, a navigable stream; which,

On motion of Mr. Hinds,

Was referred to the committee on internal improvements.

Mr. Davis presented the petition of sundry citizens of Jackson county, praying an amendment of the revenue laws of this State; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Davis, Bond and Toulme.

Mr. Ford presented the petition of sundry members of the Mississippi conference in relation to the establishment of an institution of the blind; which,

On motion of Mr. Ford,

Was referred to the committee on the lunatic asylum.

Mr. Brumfield presented the claim of V. J. Wroton; which,

On his motion,

Was referred to the committee on claims.

Mr. Force presented the petition of John Funston and other citizens of Tallahatchie county, in relation to the slack-water navigation of Tillatoba creek in said county; which,

On motion,

Was referred to the committee on internal improvements.

Mr. Foree presented the petition of sundry citizens of Tallahatchie county, praying an appropriation for the completion of the Locopolis rail road; which,

On motion of Mr. Foree,

Was referred to the committee on internal improvements.

Mr. Cushman, from the Judiciary committee, to whom was referred the claim of Lyman Potter, late Justice of the Peace for Adams county, and R. R. Randolph, late Clerk of the Circuit Court of Warren county, reported the same back to the House, they being matters over which the committee had no jurisdiction, and prayed to be discharged from the further consideration thereof, and recommended that said claim be referred to the joint standing committee on claims;

Which report was received and agreed to; and,

On motion of Mr. Cushman,

Referred to the committee on claims.

A message from the Senate :

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills from the House of the following titles, to wit :

A bill to be entitled,

An act to extend the terms of the Court of Probates of the county of Leake.

A bill to be entitled,

An act to amend an act, reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the county of Amite.

A bill to be entitled,

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the Board of Police, Probate Judges and Probate Clerks of certain counties therein named; approved February 23d, 1846.

A bill to be entitled,

An act to incorporate the Vicksburg Baptist Church.

A bill to be entitled,

An act to repeal the act entitled an act to declare Buck Island Bayou, in the county of Tunica, a navigable stream, approved January 24th, 1844.

A bill to be entitled,

An act to incorporate the Mississippi manufacturing company.

The Senate have passed the Senate bills of the following titles, to wit :

A bill to be entitled,

An act for the relief of James W. Evans and George O. Wilson of Claiborne county.

A bill to be entitled,

An act for the relief of Margaret P. Baskerville.

A bill to be entitled,

An act to provide for the purchase of two hundred and fifty copies of Smedes' Digest.

A bill to be entitled,

An act concerning the Probate court of De Soto county;

In all of which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave for the introduction of bills of the following titles, to wit :

A bill to be entitled,

An act for the relief of Shilda L. Hussey, of Lauderdale county.

A bill to be entitled,

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi at Rodney.

A bill to be entitled,

An act to amend an act entitled an act to amend the Penitentiary code of this state, and for other purposes.

The President has signed bills originating in the House, of the following titles, to wit :

A bill to be entitled,

An act to incorporate the Macon Female Institute, in Noxubee county.

A bill to be entitled,

An act to incorporate Wildey Lodge No. 21 of the Independent Order of Odd Fellows.

A bill to be entitled,

An act to incorporate Canton Royal Arch Chapter No. 10 of Free and Accepted Masons, in the town of Canton, Madison county.

A bill to be entitled,

An act to change the time of holding the Probate Court of Winston and Pontotoc counties.

The President of the Senate has also signed the bill originating in the Senate of the following title, to wit:

A bill to be entitled,

An act to repeal an act, entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

Which is herewith presented for the signature of the Speaker of the House of Representatives.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled an act for the emancipation of a negro man Armstead, reported the same back to the House with the recommendation that it do not pass; and prayed to be discharged from the further consideration thereof;

Which was received and agreed to.

Mr. Huie, from the committee on propositions and grievances, to whom was referred the claim of Martin Savage, reported that they had had the same under consideration, and reported the claim back to the House as having been improperly referred to said committee, and asked to be discharged from its further consideration;

Which report was received and agreed to; and,

On motion of Mr. Huie,

Referred to the committee on claims.

On motion of Mr. Henry,

Mr. Yerger was added to the committee on internal improvements.

On motion of Mr. Weir,

Resolved, That the Auditor of Public Accounts be, and he is hereby requested to communicate to this House, as early as convenient the amount of the defalcations of tax collectors during the last four years; the names of such defaulters and their counties; the dates and amounts of their several defalcations; at what times suits were instituted; and in all cases where suits have not been brought, the cause of its not being done.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills,

have presented for the signature of the Governor, bills of the following titles, to wit :

An act for the relief of T. S. Evans.

An act for the relief of Mary Colbert.

An act for the relief of Wm. Isaac Bruner.

An act to attach the county of Claiborne to the second judicial district for the election of the Judges of the High Court of Errors and Appeals.

An act to change the time of holding the Probate Court in the county of Covich in this State.

An act to incorporate Franklin Lodge No. 5 of Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

An act to extend the time of holding the Probate Court in the county of Warren.

An act to change the time of holding the Probate Court of Amite county.

An act to extend the time of holding the Probate Court of Monroe county.

An act to change the time of Holding the Probate Court of Hinds county.

An act to incorporate Macon Royal Arch Chapter No. 11 of Free and Accepted Masons;

And have found the same correctly enrolled.

Mr. Arnold, by leave, introduced a bill to be entitled,

An act for the relief of Charles Ryan, late assessor of Taxes for the county of Tishomingo;

Which was read the first time.

On motion of Mr. Arnold,

The rule was suspended,

The bill read a second time, and referred to the committee on claims.

On motion of Mr. Catchings,

A bill supplemental to an act, entitled an act to amend and reduce into one, the several acts in relation to the revenue of this State and for other purposes, was called from the table and referred to the judiciary committee.

Mr. Thomas of Yazoo, by leave, introduced a bill to be entitled

An act to incorporate Yazoo Royal Arch Chapter No. 8 of Free and Accepted Masons, in the town of Yazoo City;

Which was read the first time.

On his motion,

The rule was suspended,

And the bill read a second and third time, forthwith,

And passed with its title as stated.

Mr. Bynum, by leave, introduced a bill to be entitled,

An act to prescribe the penalty for burglary by slaves;

Which was read the first time.

Mr. Bynum moved that,

The rule requiring bills to be read on three several days be suspended,

Which was lost.

Mr. Brown, by leave, introduced a bill to be entitled,

An act to amend the laws in relation to executors and administrators;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. Bond, by leave, introduced a bill to be entitled,

An act to change the time of holding the Probate Court in the county of Harrison.

On his motion,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Henry, pursuant to notice, introduced a bill to be entitled,

An act to provide for settlements with guardians of another State by administrators and executors in this State;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. McWilliams, by leave, introduced a bill to be entitled,

An act to authorize the Police Court of the county of Itawamba to levy a special tax.

On his motion,

The rule was suspended,
 The bill read a second and third time forthwith,
 And passed with its title as stated.

Mr. Smith, by leave, introduced a bill to be entitled,
 An act to repeal an act entitled an act to authorize the Board of
 Police to locate the seat of justice in Bolivar county, approved
 February 28th, 1846, and for other purposes;
 Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second time and ordered to be engrossed for a
 third reading to-morrow.

Mr. Neill, by leave, introduced a bill to be entitled,
 An act for the benefit of Justices of the Peace and other persons;
 Which was read the first time;

On his motion,
 The rule was suspended,
 The bill read the second time, and referred to the judiciary
 committee.

Mr. Bynum by leave, introduced a bill to be entitled
 An act for the relief of certain citizens of the county of Jones;
 Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second time and ordered to be engrossed for
 a third reading on to-morrow.

On motion of Mr. Sanders,
Resolved, That the committee on military affairs be instructed
 to inquire into the expediency of abolishing military trainings in
 this State, and report by bill or otherwise.

Mr. Catchings gave notice that he would on to-morrow, intro-
 duce a bill entitled

An act to establish and incorporate a Lunatic Asylum for the
 State of Mississippi.

Mr. Alderson gave notice that he would on to-morrow, or some
 early day, bring in a bill to be entitled

An act to revive and amend the stray laws.

Mr. Whitfield by leave, introduced a bill to be entitled
 An act for the relief of William D. Wilkinson of the State of
 New York;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the committee on the judiciary.

Mr. Slade by leave, introduced a bill to be entitled

An act for the relief of Jefferson J. Hughes;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to a select committee of three.

The Chair appointed as said committee, Messrs. Slade, Nash and Ford.

Mr. Godfrey gave notice that he would on to-morrow, or some other day of the session, introduce a bill to be entitled

An act to amend an act entitled an act concerning divorces, passed June 14, 1822.

Mr. Stanton offered the following resolution:

Whereas, it is desirable to elicit all the information upon the subject of the Seminary Fund and the character of the State University, therefore

Resolved, That the board of trustees be requested to designate one of their members who shall have the privilege of addressing the House upon those subjects, and the importance of education;

Which was adopted.

Mr. Ford gave notice that he would on to-morrow, or some early day of the session, introduce bills of the following titles:

A bill to be entitled

An act to amend the acts for the protection of the rights of married women;

A bill to be entitled,

An act to amend the several laws in relation to tippling, and the mode of procuring license to vend liquors.

On motion of Mr. Dilworth,

Resolved, That the trustees of the State Library be requested to report to this House a catalogue of the books, maps, globes, &c. which have been purchased for the use of the Library during the last four years, exhibiting the amount of expenditure for the same,

so as to show the aggregate amount paid for law books, and the amount paid for miscellaneous books, maps, globes, &c.

Mr. Fortson gave notice that he would on to-morrow, or some early day thereafter, introduce a bill to be entitled

An act to amend the existing road laws of this state.

Mr. Whitfield offered the following resolution:

Resolved, (with the concurrence of the Senate). That both houses of the Legislature convene in the Representative Hall on Wednesday next at 11 o'clock, for the purpose of electing a Superintendent, Assistant Keeper, and Clerk of the Penitentiary for the term of two years;

Which by rule, lies one day on the table.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the Macon Female Institute in Noxubee county;

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows;

An act to incorporate Canton Royal Arch Chapter No. 10, of Free and Accepted Masons, in the town of Canton, Madison county;

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

An act to change the time of holding the probate court of Winston and Pontotoc counties, and for other purposes.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico, and have amended the same by way of ryder,

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have agreed to the message from the House of

Representatives agreeing to the report of the joint select committee raised by the two houses for the purpose of inviting Generals Taylor and Quitman to visit the capitol during the present session.

The unfinished business was then taken up, to-wit:

The motion of Mr. Cushman to indefinitely postpone the resolutions of Mr. Brooke to the Congress of the United States, asking for the diversion of certain funds therein named, &c.

In accordance with the resolution offered by Mr. Stanton, the Hon. E. C. Wilkinson was introduced to the House, and made an address in behalf of the State University.

Before any further action,

On motion,

The House adjourned until to-morrow morning 10 o'clock.

Mr. Hinds being entitled to the floor.

TUESDAY, JANUARY 18, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer by the Rev. Mr. Hoskins, of the city of Jackson.

The Speaker laid before the House the following communication from the Secretary of State:

OFFICE OF SECRETARY OF STATE, }
Jackson, January 18, 1848. }

To the Honorable, the Senate and

House of Representatives of the State of Mississippi:

The undersigned, Secretary of State, respectfully represents, that the apartment of the capitol denominated the "Archives," and appropriated to the storage, arrangement and preservation of the laws and journals of the State, and the State papers and statistical tables furnished by the Government of the United States, is in a condition unfit for the purposes designed. Much damage and loss have already occurred, and are constantly progressing for want of sufficient shelving and cases, in which to bestow these books and documents with a proper regard to their preservation. Some shelving, inadequate in extent and inferior workmanship, has been restored from its downfallen and broken condition since this department came under the supervision of the undersigned, but

much more is needed. For want of it heretofore, the large and handsomely bound volumes denominated the "State Papers," as well as other books and pamphlets of a costly kind, have been of necessity stowed in bulk upon the floor, and greatly injured by damp, and the depredations of insects.

From the fact that the walls of the room are somewhat irregular, the side next the rotunda forming in its course a segment of a circle, the cost of the work will be somewhat greater than if the whole were straight, though when placed in comparison with the cost and value of the books to be preserved, it becomes inconsiderable. From a conviction of duty, the undersigned has called your attention to this subject. And not doubting that you will order and direct whatever the exigencies of the case require, he subscribes himself with great respect,

Your obedient servant,

SAMUEL STAMPS, Sec. of State.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to change the time of holding the probate court in the county of Copiah in this State;

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons;

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county;

An act to change the time of holding the probate court of Hinds county;

An act to change the time of holding the probate court of Amite county;

An act to extend the time of holding the probate court in the county of Warren;

An act to extend the time of holding the probate court of Monroe county;

And have examined

An act to amend an act reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as the same relates to the county of Amite;

An act to incorporate the Vicksburg Baptist Church;

An act to extend the terms of the court of probates of the county of Leake;

An act to repeal an act entitled an act to declare Buck Island Bayou, in the county of Tunica, a navigable stream, approved January 24, 1844;

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the board of police, probate judges and probate clerks of certain counties therein named, approved Feb. 23, 1846;

An act to incorporate the Mississippi Manufacturing company;
And have found the same correctly enrolled.

A message was received from the Senate, by Mr. Tebo, their messenger,

I am instructed to inform the House of Representatives, that the Senate have passed bills from the House of the following titles, to wit:

A bill to be entitled,

An act to apportion the lands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes;

A bill to be entitled,

A bill to be entitled an act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

A bill to be entitled,

An act to authorise the members of the board of police of Issaquena county to remove the county seat of said county;

A bill to be entitled,

An act to incorporate the town of Lexington, in the county of Holmes.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

A bill to be entitled an act to change the time of holding the probate court in the county of Smith;

A bill to be entitled,

An act to amend an act to incorporate the Greensboro academy, and for other purposes;

A bill to be entitled,

An act for the future management of the common school fund in the county of Tishemingo;

A bill to be entitled,

An act authorising Benjamin F. and Jonathan Morris of Panola county to construct a rail road in said county, which is appended by way of rider.

In all of which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave for the introduction of a bill of the following title to wit:

A bill to be entitled,

An act for the relief of Josiah D. Foster.

Mr. Catchings, from the select committee, to whom was referred the petition of Wm. W. Yerby, praying the Legislature to pass a law instructing some officer of the State to subscribe for ——— copies of his lithographic engraving of the names of the officers and soldiers of the first and second regiments of Mississippi Rifles, and of the battles of Monterey and Buena Vista, reported the same back to the House, with the recommendation; that the prayer of the petitioner be not granted;

Which report was received and agreed to.

Mr. Abbott, from the select committee to whom was referred a petition to incorporate the Columbus Artillery company, reported the same back to the House, with a bill entitled an act to incorporate the Columbus Artillery company in the city of Columbus, Mississippi;

Which was received and agreed to; and

The bill read the first time.

On his motion,

The rule was suspended,

The bill read a second and third time, forthwith,

And passed with its title as stated.

A message was received from his excellency the Governor, by his private Secretary, Mr Jones.

Mr. SPEAKER—I am instructed by his excellency the Governor, to inform the House that he has approved and signed the following bills, to wit:

An act to incorporate the Macon Female Institute in Noxubee county; also,

An act to incorporate Canton Royal Arch chapter, No 10, of Free and accepted Masons, in the town of Canton, Madison county; also,

An act to incorporate Wildey Lodge, No. 21, of the Independent Order of Odd Fellows; also,

An act to change the time of holding the probate court of Winston and Pontotoc counties, and for other purposes, approved January 17, A. D. 1848.

Mr. Campbell of Desoto, by leave, introduced a bill to be entitled,

An act to repeal an act, entitled an act to amend an act for the preservation of the rights of married women, approved February, A. D. 1846;

Which was read the first time.

Mr. Nash, from the committee appointed under a resolution of this House to revise the joint rules governing the two Houses, made the following report:

The committee appointed under a resolution of this House, to revise the rules and joint rules of the two houses, ask leave to report to your honorable body, and recommend the following alteration to the 14th joint rule, to wit:

The following committees shall be joint standing committees: The committee on claims, the committee on accounts, the committee on the Penitentiary, and the committee on internal improvements—each to consist of not less than five members of the House, and three of the Senate;

Which report was received and agreed to.

Mr. Stanton, from the select committee, to whom was referred the petition of sundry citizens of Adams county, praying the annexation of township 8, of range 2 west, to that of township No. 8, of range 3 west, reported the same back to the House, with a bill to be entitled, "an act to annex, in the county of Adams, township, No. 8, of range 2 west, to township No. 8, of range 3 west, and for other purposes;"

Which was received and agreed to; and

The bill read the first time.

On his motion,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Cushman, from the judiciary committee to whom was referred the Senate bill to be entitled

An act in relation to the probate of deeds;

Reported the same back to the House, and recommend that it do not pass;

Which was received and agreed to.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled

An act to regulate appeals and writs of error from judgments in cases of habeas corpus;

Reported the same back to the House without amendment, and recommended that the same do pass;

Which was received and agreed to.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled

An act for the relief of the representatives of Jonathan Hunt, deceased;

Reported the same back to the House without amendment, and recommended the passage thereof;

Which was received and agreed to.

Messrs. Simrall and Whitmore presented the following dissenting opinion:

As members of the judiciary committee, to whom was referred a bill for the relief of the representatives of Jonathan Hunt, dec'd., feeling constrained by our oaths of allegiance to the constitution to dissent from the report of a majority of the committee, we will briefly state the grounds of difference. The bill which has been recommended to the favorable action of the House, authorises Adam Smith, the administrator, with the will annexed of Jonathan Hunt, deceased, to sell certain lands, which are devised directly and unconditionally.

It appears that the lands devised are owned by three persons—one of whom is a lunatic, another a minor, and the third an adult. By the general law of the land, upon the death of the testator, these lands vested under his will, in the devisees, the objects of his bounty. Their title at law and equity was complete.

The executor has no power under the will to receive even rents and profits. The law gives him none. If the testator's personal

estate should prove insolvent, the executor can, by proceedings in the proper tribunal, upon giving notice to the devisees, to be heard, obtain a decree for the sale of lands to pay debts.

The constitution divides the powers of the government, into three separate departments—the executive, the legislative, and the judiciary, and commits each to a special body of magistracy.

We know of no mode by which the owner can part with his lands, except by his own voluntary consent, or by judgment of a court of competent jurisdiction, or for public uses, compensation being first made. The transfer of individual property, under our system of government, cannot be made by the Legislature, directly or indirectly, through an agent, without the consent of the owner.

One of the owners of these lands proposed to be sold by the administrator is a lunatic, another a minor—neither of whom are, in law, capable of giving their consent.

We are aware that two of the judges of the High Court of Errors and Appeals have decided that we have constitutional power to direct and authorise an administrator to sell lands. In some of the other States the same principle has been adopted, but in other States it has been wholly denied. In as much then, as the decision of our supreme court was not unanimous, and given with great hesitation, we do not think that it can be said that this important constitutional question can be said to be concluded by the judiciary, but that the Legislature is competent to determine for itself.

In 1827, the Legislature of New Hampshire submitted to the supreme judges of that State, the following among other questions for their official opinion:

“Can the Legislature authorise the guardian of minors, by a special act or resolve, to make a valid conveyance of the real estate of his wards? In the course of their answer, the judges remark, that it is the province of the Legislature to prescribe the rule of law, but to apply it to particular cases is the business of courts of law. The grant of such a license to the guardian is intended as a privilege and benefit to the ward; but by the law, no minor is capable of assenting to a sale of his real estate in such manner as to bind him. And by the same law, no guardian is permitted to judge when the estate of his ward ought, and when it ought not to be sold.

The question, then, as it seems to us, can a ward be deprived

of his inheritance without his consent, by act of the Legislature, which is intended to apply to no other individual? Can an act of the Legislature, intended to authorise one man to sell the land of another without his consent, be the law of the land, within the meaning of the constitution? Can it be the law of the land in free countries? We feel, therefore, bound to express the opinion on the question submitted to us, that the legislature cannot by special act authorise a guardian of minors to make a valid conveyance of his ward's real estate.

It may be remarked, that a guardian bears a much more intimate relation, both to the person and estate of his ward, than does the administrator of the will bear to the devisees of lands.

It seems to us, also, that it must be insisted that the bill *propria regione*, divests the title of the devisees, and assigns it to the administrator, otherwise it cannot be explained how a purchase from him could hold the lands.

But the constitution forbids, even for public purposes, the appropriation of private property without compensation first made to the owner. But this bill seizes the title to these lands out of a lunatic and minor; one of whom by the dispensation of providence, and the other by a general law, have no power to consent, vests that title in the administrator, and authorises him to sell.

The Speaker vacated his seat and called Mr. Dilworth to the chair, for the purpose of making an explanation in relation to the merits of the bill.

On motion of Mr. Cushman,

The bill was ordered to be engrossed, and made the special order of the day for to-morrow, 12 o'clock.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled

An act to provide for the sale of lands purchased at tax sale,

Reported the same back to the House with sundry amendments;

Which was received and agreed to,

On motion of Mr. Brooke.

The bill as amended, was ordered to be engrossed, and made the special order of the day for Thursday, at 12 o'clock.

Mr. Hancock, from the committee of ways and means, to whom was referred a resolution inquiring into the expediency of assessing of real real estate by classification, reported that it was in-

expedient, and asked to be discharged from the further consideration of the same;

Which report was received and agreed to.

Mr. Sanders, by leave, introduced a bill to be entitled

An act to improve the navigation of Big Black river;

Which was read the first time.

Mr. Sanders moved that the rule be dispensed with;

Which motion was lost.

Mr. Dilworth, by leave, introduced a bill to be entitled

An act to repeal, in part, an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the 1st January 1841, approved Feb'y. 6, 1841;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and referred to the committee on ways and means.

On motion of Mr. Henry,

Resolved, That the committee on education be instructed to inquire into the expediency of memorialising Congress for a grant of a section of land for each township in the State (to be located on any unappropriated land in the State of Mississippi) in lieu of all such sixteenth sections as are of less than medium quality with the balance of the townships in which they lie; and also, the propriety of giving to each township in which the sixteenth section was floated by an Indian reservation, and which afterwards proved to be spurious, the right of said sixteenth section for the use of schools.

Mr. Stanton, by leave, introduced a bill to be entitled

An act to amend an act entitled an act to amend and reduce into one the several acts in relation to the revenue of this State;

Which was read the first time; and,

On his motion,

The rule was suspended,

And the bill read the second time; and,

On motion of Mr. Whitmore,

Was referred to the committee on ways and means.

Mr. Byrn, by leave, introduced a bill to be entitled

An act to amend an act entitled an act to change the mode of co-

lecting revenue of hawkers and peddlars, approved February 28, 1846;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time forthwith and referred to the committee on the judiciary.

Mr. Hamer, by leave, introduced a bill to be entitled

An act to restrict the jurisdiction of the sheriff of Tippab county, in certain cases therein named;

Which was read the first time; and,

On his motion,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Ford, pursuant to notice, introduced a bill to be entitled

An act to amend the several acts for the protection and preservation of the rights of married women;

Which was read the first time.

On his motion,

The rule was suspended,

And the bill read the second time forthwith, and referred to the committee on the judiciary.

Mr. Ray, by leave introduced a bill to be entitled

An act to incorporate Coffeeville Lodge No. 83, of Free and accepted Masons in the town of Coffeeville, Yalobusha county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Catchings offered the following preamble and resolution, to wit:

Whereas, the trustees of Mississippi College, at Clinton, in the county of Hinds, have signified a willingness to surrender that institution to the State for the use of a Normal school; and whereas, the State did some years ago loan to said institution a sum of money which still remains unpaid, and which is secured by mortgage on the buildings and grounds of said college: therefore,

Resolved, That the committee on Normal schools be instructed to visit the town of Clinton, and ascertain by a personal examination of the buildings and appurtenances of Mississippi College, whether the said buildings would answer the purposes of a Normal school;

Which was adopted.

Mr. Godfrey, by leave, introduced a bill to be entitled

An act to incorporate the Louisville Division, No. 11, of the Sons of Temperance;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Connell offered the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the propriety and expediency of assessing an extra tax of at least two dollars each upon all slaves under sixty years of age in this State at the commencement of each fiscal year, belonging to non-residents; and that they inquire into the propriety of levying a license tax upon all slaves, merchants, traders, brokers, or dealers in slaves, who introduce negroes into this State for sale or hire, or offer for sale such slaves as may have been introduced into this State for sale or hire, at least five dollars on each slave so introduced for sale or hire.

Mr. Brooke moved to strike out the committee of ways and means, and insert the judiciary committee.

The question being divided, was taken on striking out,

And decided in the affirmative.

The question was then taken on inserting the judiciary committee,

And decided in the negative.

On motion of Mr. Connell,

The blank was filled with the joint select committee heretofore raised on that subject.

Mr. Weir moved to lay the resolutions on the table;

Which was lost; and,

On motion of Mr. Connell,

The resolutions were adopted.

On motion of Mr. Whitfield,

The resolution relative to the two houses convening in the Representative hall, on Wednesday the 19th inst., for the purpose of electing officers of the Penitentiary,

Was called from the table and adopted.

A message from the Senate, through Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have concurred in the resolution from the House, fixing Wednesday next, at 11 o'clock, for the convention of the two houses for the purpose of electing the officers of the Penitentiary.

The unfinished business was then taken up, viz:

The motion of Mr. Cushman to indefinitely postpone the resolutions offered by Mr. Brooke, praying Congress to divert certain funds therein named.

Considerable discussion arising, and no action being had,

On motion,

The House adjourned until to-morrow morning, 10 o'clock;

Mr. Cushman being entitled to the floor.

WEDNESDAY, JANUARY 19, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer, by the Rev. Mr. Hoskins of the city of Jackson.

A message was received from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed the bills from the House of the following titles, to-wit:

A bill to be entitled,

An act to incorporate the Columbus Trades Union Society;

A bill to be entitled,

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county;

A bill to be entitled,

An act for the relief of John Patterson;

A bill to be entitled

An act to change the time of holding the circuit courts in the second judicial district of this State, and for other purposes;

A bill to be entitled

An act to change the time of holding the probate court of Coahoma county;

A bill to be entitled,

An act for the relief of John Dean;

The Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for the purchase of two hundred copies of Chilton's probate court law and practice;

A bill to be entitled

An act to provide for furnishing to the Library of Harvard College, Cambridge, one copy of all the laws, journals and reports of the State of Mississippi, which is amended by way of ryder;

A bill to be entitled

An act for the relief of Archibald Milloy of Covington county;

In which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on yesterday sign

An act to amend an act reducing the fees of certain officers therein named, approved February 10, 1844, so far as relates to the county of Amite;

An act to incorporate the Vicksburg Baptist Church;

An act to repeal an act entitled an act to declare Buck Island Bayou in the county of Tunica, a navigable stream, approved January 24, 1844;

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the board of police, probate judges, and probate clerks of certain counties therein named, approved Feb. 23, 1846;

An act to incorporate the Mississippi Manufacturing Company.

The Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled

An act to impose a penalty on justices violating the law in regard to their jurisdiction;

A bill to be entitled

An act to authorize decrees of divorce in certain cases therein named;

A bill to be entitled

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

A bill to be entitled

An act to incorporate the Grenada Bridge and Turnpike company;

A bill to be entitled

An act to establish an inferior court of Chancery for the central part of the State;

A bill to be entitled

An act incorporating all bodies and societies of ancient Freemasonry and Odd Fellowship and other secret associations of professed moral, social and charitable objects.

Mr. Huie presented the petition of sundry citizens of the county of Choctaw, praying that a portion of said county be annexed to the county of Winston;

Which was referred to the committee on county boundaries.

Mr. Huie presented the petition of Mary E. Cocke, a citizen of the county of Choctaw, praying relief, &c.; which,

On his motion,

Was referred to the committee on propositions and grievances.

Messrs. Wilson, Catchings, Ellis, Fortson, Ford and Wilds presented sundry claims;

Which were referred to the committee on claims.

Mr. Lynch presented the petition of James M Chiles, a citizen of the county of Rankin, praying the passage of a law for his relief; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Wilds presented the petition of Jehu Stokely and others, citizens of the county of Sunflower, praying certain ferry privileges; which,

On his motion,

Was referred to a select committee of three.

The chair appointed as said committee Messrs. Whitmore, Nash and McInnis.

Mr. Wilds presented the petition of sundry citizens of the county of Sunflower, praying the Legislature to impeach Judge Coalter

for certain failures in holding the circuit court in said county; which,

On his motion,

Was referred to the committee on the reorganization of the 6th and 7th judicial districts.

Mr Hamer presented the petition of sundry citizens of Tippah county, praying that the fund arising from the licenses for the retail of vinous and spiritous liquors in the town of Salem, in said county, be appropriated to the benefit of the male and female academy in said town of Salem; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Hamer, Catchings, and Arnold.

Mr. Slade presented the petition of sundry citizens of the county of Yazoo, praying the removal of the seat of justice from the town of Benton to Yazoo City; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Slade, Simrall and Weir.

Mr. Thomas of Yazoo, presented the remonstrance of sundry citizens of Yazoo county to the petition for the removal of the county site from Benton to Yazoo City; which,

On his motion;

Was referred to the same select committee with the addition of two thereto.

The Chair appointed in addition, Messrs. Thomas of Yazoo, and Fortson.

Mr. Alderson from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to apportion the hands of the incorporation of the town of Fulton, in the county of Itawamba on the road leading from Fulton to Pontotoc and for other purposes;

An act to authorize the members of the board of police of Issaquena county to remove the county seat of said county;

An act to change the names of Caroline Thomas Smith, Martha Jame Smith, and Robert Benjamin Smith;

And have found the same correctly enrolled;

And have also presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the board of police, probate judges and probate clerks of certain counties therein named, approved Feb. 23, 1846;

An act to incorporate the Mississippi Manufacturing Company.

On motion of Mr. Walker,

The House took a recess of ten minutes, for the purpose of preparing the Hall for the reception of the Senate, to the end that the two houses convene in the Hall for the purpose of electing a Superintendent, Assistant Keeper and Clerk of the penitentiary, in conformity with a joint resolution adopted by the two houses.

The recess having expired, the House resumed its session; and,

On motion of Mr. Liddell,

The Clerk of the House was instructed to inform the Senate that the Hall was in readiness for their reception.

The Senate preceded by the Sergeant-at-Arms, entered the Hall and took the seats assigned them.

On motion of Mr. Liddell,

The two houses proceeded to the election of a Superintendent by ballot,

Mr. Boone of the Senate, and Liddell of the House, acting as tellers.

Mr. Liddell of the House, nominated Mr. Ezekiel Harris.

" Pettus of the Senate,	"	"	James W. Wade.
" Neill of the House,	"	"	Robert Cook.
" Cushman of the House,	"	"	Richard G. Wyatt.
" Beene of the Senate,	"	"	Joseph Moseley.

The result of the ballot is as follows:

Mr. Harris received	18	votes.
" Wade	35	"
" Cook	18	"
" Wyatt	4	"
" Moseley	48	"

Neither gentleman having received a majority of all the votes cast, the two houses proceeded to a second balloting, the names of Mr. Wyatt and Harris being withdrawn.

Upon counting the ballot it appeared that

Mr. Wade received 45 votes.

“ Cook “ 16 “

“ Moseley “ 63 “

Mr. Moseley having received a majority of all the votes cast, was declared to be duly and constitutionally elected Superintendent of the penitentiary for the term of two years.

The two houses then proceeded to ballot for Assistant Keeper.

Mr. Liddell of the House, nominated Mr. L. W. Smith.

“ McAfee of the House, “ “ David Car.

“ Wilborne of the Senate, “ “ Micajah Jackson.

“ Catching of the Senate, “ “ John F. Price.

Upon counting the ballot it appeared that

Mr. Price received 63 votes.

“ Car “ 34 “

“ Smith “ 21 “

“ Jackson “ 6 “

Mr. Price having received a majority of all the votes cast, was declared to be duly and constitutionally elected Assistant Keeper of the penitentiary for the term of two years.

The two houses then proceeded to ballot for Clerk of the penitentiary.

Mr. Boone of the Senate, nominated Mr. Barrows.

No other nominations being made,

On motion of Mr. Liddell, of the House,

Mr. Barrows was elected by acclamation, Clerk of the penitentiary for the term of two years.

The two houses having accomplished the business for which they had convened, the Senate retired.

On motion of Mr. Steger,

Resolved, That the committee on the judiciary be instructed to consider and report upon the expediency of so amending the constitution as to permit the separation of the election of State and county officers.

On motion of Mr. Hurst,

The special order entitled

An act for the relief of the representatives of Jonathan Hunt, deceased, was called up,

Read the third time and passed with its title as stated.

On motion of Mr. Whitfield,

The Senate bill entitled

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico, was called from the orders of the day
And read the first time.

On his motion,

The rule was suspended,

And the bill read the second time.

On his further motion,

The House resolved itself forthwith into committee of the whole on said bill, Mr. Simrall in the chair.

After some time spent therein, the committee rose and reported the bill back to the House with sundry amendments;

Which was received and agreed to.

On motion of Mr. Simrall,

The amendments were ordered to be engrossed and made the special order of the day for 12 o'clock to-morrow.

On motion,

The House adjourned until to-morrow morning 10 o'clock.

THURSDAY, JANUARY 20, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer, by the Rev. Joshua T. Russell.

On motion of Mr. Wooldridge,

Leave of absence was granted Mr. Dampier for a few days.

Mr. Wilds, from the standing committee on county boundaries, to whom was referred the petition of sundry citizens of the county of Kemper to change the boundary of said county, reported the same back to the House with a bill to be entitled,

An act to define the boundary line of Neshoba county and for other purposes;

Which report was received; the House refusing to agree.

On motion of Mr. Neely,

The same was recommitted to a select committee of four.

The Chair appointed as said committee, Messrs. Neely, Wooldridge, Carroll and Hall.

Mr. Cushman, from the judiciary committee to whom was referred a bill to be entitled,

An act to provide for the settlement with guardians of another State by administrators and executors in this State, reported the same back to the House with sundry amendments;

Which report was received and agreed to, and the amendments ordered to be engrossed for a third reading on to-morrow.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to wit :

An act for the relief of John Dean.

An act to change the time of holding the Probate Court of Coahoma county.

An act for the relief of John Patterson.

An act to incorporate Canton Lodge No. 28 of Free and Accepted Masons, in the town of Canton, Madison County.

An act to incorporate the Columbus Trades Union Society.

An act to change the time of holding the Circuit Court in the second judicial district of this State and for other persons.

An act to incorporate the town of Lexington, in the county of Holmes;

And have found the same correctly enrolled.

A message was received from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have concurred in the resolution from the House, referring that part of the Governor's message which relates to the printing of an additional number of the acts of the legislature and the journals of the two houses to a joint select committee of five on the part of the House and——on the part of the Senate, with instructions to report by bill or otherwise, as early as practicable;

And have appointed on the part of the Senate, Messrs. Gray, Dabney and McDugald.

The Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act to repeal an act reducing the fees of certain officers

therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin.

A bill to be entitled,

An act concerning judgment liens.

A bill to be entitled,

An act to abolish the office of State Commissioner and for other purposes.

The President of the Senate has signed the act from the House of the following title, to wit:

An act to extend the terms of the Court of Probates of the county of Leake.

The Senate have adopted the following resolution, to wit:

Resolved, the House concurring, that the standing committee on education shall hereafter be a joint standing committee to consist of three on the part of the Senate and———on the part of the House.

Messrs. Stewart, Pettus and Pegues were appointed said committee on the part of the Senate;

In which I am instructed to request the concurrence of the House of Representatives.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled an act to amend an act to change the mode of collecting revenue of hawkers and pedlars, approved 28th February, 1846, reported the same back to the House, with the recommendation that it be referred to the committee on ways and means; believing that the same was improperly referred to the judiciary committee, and begged to be discharged from its further consideration;

Which was received and agreed to, and the bill referred to the committee on ways and means.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled an act for the relief of William D. Wilkinson, of the State of New York; reported the same back to the House without amendment, and recommended the passage thereof;

Which was received and agreed to,

And the bill ordered to be engrossed for a third reading on tomorrow.

Mr. Cushman from the same committee, to whom was referred a bill to be entitled an act to amend the laws in relation to execu-

tors and administrators, reported the same back to the House with the recommendation that it do not pass, and asked to be discharged from the further consideration thereof;

Which was received and agreed to.

Mr. Cushman, from the same committee, to whom was referred a bill supplemental to the revenue law of 1846, reported the same back to the House, with the recommendation that it be referred to the committee on ways and means, believing that the same was improperly referred to the judiciary committee, and asked to be discharged from the further consideration thereof;

Which was received and agreed to, and the bill referred to the committee on ways and means.

Mr. Cushman, from the same committee, who were required by resolution of the House, to enquire into the propriety of enacting some general law extending to Masons, Odd Fellows, and Sons of Temperance the privileges of incorporation, reported to the House a bill to be entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance and other societies and companies;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

Ordered to be engrossed and made the special order of the day for Monday 12 o'clock.

Mr. Cushman, from the same committee, to whom was referred a bill to be entitled an act to regulate cases of bastardy in this State, reported the same back to the House with sundry amendments;

Which report was received and agreed to,

And the bill and amendments ordered to be engrossed for a third reading to-morrow.

Mr. Cushman, from the same committee, to whom was referred a bill to be entitled an act to make notarial protests made without the limits of this State, on all instruments required by law to be protested, prima facie evidence of the facts set forth in the protest, reported the same back to the House with the recommendation that it do not pass;

Which was received and agreed to.

Mr. Cushman, from the same committee, to whom was referred a bill to be entitled an act to repeal all laws now in force, authorizing or requiring Sheriffs or other persons to take forthcoming bands, reported the same back to the House without amendment, and recommended its passage.

Mr. Cushman moved that the report be received and agreed to.

The question being divided, was taken on receiving, and decided in the affirmative.

Pending the question to agree,

On motion of Mr. Walker,

The report was laid on the table.

A message from the Governor, through Mr. Jones, his private secretary:

Mr. SPEAKER—I am instructed by His Excellency, the Governor, to inform the House that he has approved the following bills, to wit:

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the county of Amite; also,

An act to repeal an act entitled an act to declare Buck Island Bayou, in the county of Tunica, a navigable stream, approved January 24th 1844; also,

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the Board of Police, Probate Judges and Probate Clerks of certain counties therein named; approved February 23d, 1846.

The unfinished business was then taken up, to wit:

The motion of Mr. Cushman to indefinitely postpone the resolutions offered by Mr. Brooke, asking Congress for the diversion of certain funds therein named.

Mr. Brooke asked for a division of the question on the resolutions.

The Chair decided that a motion to indefinitely postpone was not subject to division.

Mr. Brooke appealed from the decision of the Chair, which was not pressed for the purpose of giving way for the following amendment offered by Mr. Dilworth, to wit:

Amend by striking out the second resolution,
Which was entertained, it having preference over the motion
to indefinitely postpone.

Mr. West, of Holmes, offered the following amendment to the
amendment, to wit:

Amend the amendment by striking out the word "second" and
inserting the word "first."

Before the question was taken,

Mr. Cushman made a preference motion to lay the whole matter
on the table.

Some explanatory remarks being made, before the question was
taken,

Mr. Cushman withdrew his motion to lay on the table and in-
definitely postpone.

Mr. West of Holmes, then withdrew his amendment to the
amendment, offered by Mr. Dilworth, and offered the following as
a substitute:

Amend by striking out of the first resolution, that part relating
to the conversion of the buildings already erected into a lunatic
asylum,

Which was adopted.

Mr. Yerger, then renewed the motion to indefinitely postpone.

Mr. Hurst moved that the House adjourn;

Which was lost.

Mr. Brooke called for the previous question;

Which being sustained,

The question was taken, shall the main question be now put?

And decided in the affirmative.

On motion of Mr. Simrall,

The resolutions were divided,

And the question taken on the adoption of the first resolution,
and decided in the negative by yeas and nays, as follows:

Those who voted in the affirmative are,

Messrs. Arnold, Bond, Brooke, Bynum, Clayton, Davis, Dil-
worth, Hogue, Myers, Stewart, Suratt, Weathersby and West of
Holmes—13.

Those who voted in the negative are,

Mr. Speaker, Messrs. Abbott, Alderson, Bardin, Brown, Byrn,
Campbell of Desoto, Campbell of Franklin, Catchings, Cleveland,

Collier, Connell, Cushman, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Harrington, Henry, Hill, Hinds, Holden, Houston, Huie, Hurst, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Moore, Nailor, Nash, Neely, Neill, Noble, Phillips, Powell, Ray, Sanders, Simrall, Slade, Smith, Steele, Steger, Thames, Thomas of Marshall, Thomas of Yalobusha, Torrey, Toulme, Trigg, Valentine, Walker, Wier, West of Wayne, White, Whitfield, Whitmore, Wilds, Wilson, Wooldridge and Yerger—75.

The question was then taken on the adoption of the second resolution and decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative are,

Messrs. Arnold, Bond, Brooke, Bynum, Clayton, Cleveland, Davis, Dilworth, Hogue, Hurst, McInnis, Myers, Simrall, Stewart, Suratt, Toulme, Walker, Weathersby West of Holmes, Whitfield and Wilds—21.

Those who voted in the negative are,

Mr. Speaker, Messrs. Abbott, Alderson, Bardin, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Collier, Connell, Cushman, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Harrington, Henry, Hill, Hinds, Holden, Houston, Huie, Johnson, Liddell, Lynch, Mason, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Nailor, Nash, Neill, Neely, Noble, Phillips, Powell, Ray, Saunders, Slade, Smith, Steele, Steger, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Valentine, Wier, West of Wayne, White, Whitmore, Wilson, Wooldridge and Yerger—68.

On motion of Mr. Whitfield,

The third resolution was laid on the table for the balance of the session.

Mr. Ford gave notice that he would on to-morrow, or some early day in the session, introduce a bill to be entitled an act providing pensions for the widows and orphans of the officers and volunteers and soldiers of Mississippi riflemen who have fallen in battle or of disease in Mexico.

On motion of Mr. Thomas of Yazoo,

Resolved, That Colonel John M. Sharpe, formerly a member of

this House, and more recently commander of Company A of the first Mississippi Regiment, be invited within the bar as a mark of respect for his devotion to his country, and more particularly for his gallantry on the battlefield of Buena Vista.

On motion of Mr. Suratt,

The House adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 21, 1848.

The House met pursuant to adjournment,

And its deliberations opened with prayer, by the Rev. Mr. Caldwell of the city of Jackson.

Mr. Walker presented the petition of sundry citizens of Chickasaw county, praying the passage of an act for the benefit of the minor heirs of Martin Hogg, deceased; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Walker, Neely and Harrington.

Messrs. Cox, Catchings and Thames, presented sundry claims; Which were referred to the committee on claims.

Mr. Lynch, by leave, withdrew the petition of James M. Chiles, from the committee on propositions and grievances and the same was referred to the committee on claims.

Mr. Slade presented the petition of sundry citizens of Yazoo county, remonstrating against the removal of the seat of justice of said county from the town of Benton to Yazoo city; which,

On his motion,

Was referred to the select committee raised on the same subject yesterday.

Mr. Johnston, from the standing committee on elections, to whom was referred the credentials of the several members elect to the House of Representatives of the State of Mississippi, reported that they have examined the same, and that the respective certificates of the several members now sitting are in due form of law, and that they were duly and constitutionally elected members of the House of Representatives of the State of Mississippi, for the term prescribed by the constitution;

Which was received and agreed to:

A message from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed the House bills of the following titles, to wit:

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Rodney and for other purposes, approved Feb'y. 10, 1844;

A bill to be entitled,

An act to authorise the judge of probate court of Marion county, to hold the terms of his court in the probate clerk's office of said county;

A bill to be entitled,

An act to appropriate a portion of the Yazoo city hospital fund to educational purposes;

A bill to be entitled,

An act to annex, in the county of Adams, township No. 8, range 2 west, to township No. 8, range 3 west, and for other purposes.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to change the time of holding the probate courts in the counties of Clark and Jasper;

A bill to be entitled,

An act to relinquish to the United States, jurisdiction over a lot of ground as a site for the erection of Biloxi light house;

A bill to be entitled,

An act providing for the transmission and return by mail of process in certain cases;

A bill to be entitled,

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833.

A bill to be entitled,

An act to authorise Henry S. Caulking, his heirs or assigns to establish and keep a ferry across the Mississippi river at Rodney,

And have made an amendment thereto by way of ryder.

In all of which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on yesterday, sign the acts from the House of the following titles, to wit:

An act for the relief of John Patterson;

An act to change the time of holding the probate courts of Coahoma county;

An act to change the time of holding the circuit courts in the second judicial district of this State and for other purposes;

An act to incorporate the town of Lexington, in the county of Holmes;

An act to change the names of Carolino Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

An act to incorporate the Columbus Trades Union society;

An act to apportion the lands of the incorporation of the town of Fulton in the county of Itawamba on the road leading from Fulton to Pontotoc, and for other purposes;

An act to authorise the members of the board of police of Issaquena county to remove the county seat of said county;

An act for the relief of John Dean;

An act to incorporate Canton Lodge No. 48, of Free and Accepted Masons, in the town of Canton, Madison county.

The Senate have concurred in the resolution from the House appointing a joint select committee composed of one member from each of the counties in the sixth and seventh judicial districts, to inquire into the re-organization of said districts, and to report by bill or otherwise, and have made sundry amendments thereto:

In which I am instructed to desire the concurrence of the House of Representatives.

The President has appointed, on the part of the Senate, Messrs. Beene, Guion, Cannon, McDugald, Catching, Gray and Davis, a committee of seven on said resolution and amendment.

Resolved, The Senate concurring, that a joint select committee, composed of one member from each of the counties in the 6th and 7th judicial districts, on the part of the House, and — on the part of the Senate, be appointed to inquire into the re-organization of said districts; and that they have leave to report by bill or otherwise.

[Amendments made by the Senate to the above House resolution, by—"amend by striking out of the second line, the words 'each of the counties in the 6th and 7th,' and insert in lieu thereof,

the words 'one member from each of the,' and insert in the fifth line, after the word 'district,' the words 'of this State.'

"*Provided*, that the number of judicial districts shall not be increased."]

Amendments to the House resolution, which are copied *verbatim*, adopted, and resolution concurred in, on the 20th January, 1848.

D. F. DOZIER, Sec'y. Senate.

Mr. Walker, from the select committee, to whom was referred a bill to be entitled,

An act declaring the Yallobusha river a navigable stream,

Reported the same back to the House without amendment, and recommended the passage thereof;

Which was received and agreed to,

And the bill ordered to be engrossed for a third reading to morrow.

Mr. Toulme, from the select committee, to whom was referred the petition of the citizens of Hancock county, reported a bill to be entitled

An act to authorise the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

Which was received and agreed to; and

The bill read the first time.

On his motion,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Simrall, from the select committee, to whom was referred the petition of sundry citizens of the town of Woodville, asking the Legislature to restore to said town certain privileges granted by the act of incorporation; also, a counter memorial of the school commissioners of Wilkinson county, reported a bill to be entitled,

An act to restore to the town of Woodville certain privileges granted in the act of incorporation, and for other purposes;

Which report was received and agreed to, and

The bill read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and ordered to be engrossed for a third reading on to morrow.

Mr. Stanton from the select committee, to whom was referred so much of the Governor's message as relates to the establishment of a Normal school, made the following report, and bill:

The select committee, to whom was referred so much of the Governor's message as relates to the establishment of a Normal school, beg leave to report, that they have considered the subject, and in connection therewith, the letter of Judge Thatcher on that subject, accompanying the Governor's message. This document furnishes a very lucid account of the origin, progress and utility of the Normal school system, the object of which, is to supply the public with an abundance of well educated persons, especially trained and disciplined in the art of teaching.

By previous acts of the Legislature, a system of common schools has been adopted, and may now be regarded as the settled policy of the State. The success of such a system depends entirely upon a sufficient number of competent teachers; and the only certain and safe method of procuring them is, to establish a Normal School within the State, whereby such teachers may be taken from our own citizens, and trained and disciplined under the eye of those whom we know to be identified with the domestic interest and the policy peculiar to our State.

The committee are aware that there are many objections to the present system of common schools; and in consequence of the sparseness of population in many counties of the State, and the difficulty of procuring competent teachers, the system fails to accomplish the desired end. Heretofore, we have relied almost entirely upon peripatetic teachers from other States, many of whom have no interest in common with us—no ambition to see our youth educated in a manner to render them useful to our community, and whose only purpose has too frequently been to procure the wages of their hire, to enable them to commence another profession or business, or therewith to return whence they came. This lamentable evil interferes alike with the success of the common school system, and with the progress of education under private and individual patronage. Whether our present system of public education succeeds or fails, or whatever plan may be hereafter adopted, one thing is certain, *we must have education, and to procure education, good teachers are indispensable.*

Your committee can conceive of no better or more prompt plan

to accomplish this object, than by the establishment of a Normal school, for a description of which, they refer to the letter of Judge Thatcher; and they adopt the same as part of their report.

Your committee would also further report, that in accordance with the resolution of the House, requiring them to visit the buildings of the college at Clinton, they have discharged their duty, and that they entertain the opinion that insurmountable objections exist to the use of those buildings for the purposes of such a school.

The buildings are upon a scale and in a style unsuitable for the purpose. They are much more extensive than would be required, and would demand a greater outlay of money at once, and entail a greater expense for present and future repairs than the plan of such a school makes at all necessary. All that would be needful for such a school, in the opinion of your committee, are one large study, or school-room, and two recitation rooms convenient thereto. The college buildings in question, contain also lodging rooms, &c., for the use of students in the usual manner of such institutions, which would be useless in the plan of a Normal School, which includes *females* as well as male pupils, and which does not include any arrangement or provision for the lodging or boarding of the pupils. Your committee is therefore of opinion that these buildings would be cumbersome, inconvenient and to a great extent, useless for a Normal School, as usually established.

The committee would add, besides the above objections, that they view the subject of the building as the matter of least consideration in establishing a Normal School—that very moderate, and consequently cheap, accommodations alone are required for such a school, and most especially, while the school is merely an experiment—and the great and paramount consideration in selecting a locality, should be to find a spot where the community is fully ripe to receive such an institution, and where an extensive school, conducted upon the principles of public schools, can be found to be used as the model school for the practical part of the education of teachers. In obtaining these aids and encouragements, your committee conceives the entire success and hopes of the school depend, and they beg most respectfully, to reiterate their opinion, that such considerations should take precedence, and overrule all others, in forming a conclusion as to the locality of the experimental institution.

Being convinced of the importance of a Normal School, your committee also beg leave to report a bill of the following title:

A bill to be entitled

An act to establish a State Normal School.

The bill to be entitled

An act to establish a State Normal School,

Was read the first time.

Mr. Stanton moved that the report be received and agreed to;

The question being divided, was taken on receiving,

And decided in the affirmative.

Mr. Catchings moved that the report and bill be laid on the table and 500 copies be printed for the use of the House.

Mr. Johnston moved that 1000 copies be printed;

And the question was taken thereon,

And decided in the negative.

The question was then taken on the motion to print 500 copies,

And decided in the affirmative,

And the report laid on the table.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled

An act to amend an act entitled an act directing the method of proceeding in courts of equity against absent debtors and other absent defendants and for regulating the proceedings on attachment against absconding debtors, passed January 7, 1842,

Reported the same back to the House with an amendment, and recommended the passage thereof as amended;

Which was received and agreed to,

And the bill as amended, ordered to be engrossed for a third reading.

Mr. Cushman from the same committee, to whom was referred the petition of sundry citizens of Tishemingo county, praying the passage of an act to amend the dowry law;

Reported a bill to be entitled

An act to amend the laws of this State in relation to dower;

Which was read the first time.

Mr. Cushman moved that the report be received and agreed to.

Mr. Ford asked for a division of the question.

The question being divided, was taken on receiving,

And decided in the affirmative.

The question was then taken on agreeing,
And decided in the negative.

Mr. Cushman from the same committee, to whom was referred
a bill to be entitled

An act to simplify the law in actions of ejectment,

Reported the same back to the House, with the recommendation that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Nash from the select committee, to whom was referred the
bill to be entitled

An act for the relief of Jefferson J. Hughes,

Reported the same back to the House and recommended its passage;

Which was received and agreed to, and made the special order of the day for 12 o'clock to-morrow, in committee of the whole.

Mr. Davis from the select committee, to whom was referred the petition of sundry citizens of Jackson county, praying the Legislature to reduce the salary of the tax assessor in said county, reported a bill to be entitled

An act to reduce the salary of the tax assessor of the county of Jackson;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Huie from the committee on propositions and grievances, to whom was referred the petition of Mary E. Cocke,

Reported the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of devising such means as may be necessary to aid and assist the indigent families of our soldiers who are absent from the State in the service of their country, and to report by bill or otherwise;

Which was received and laid on the table.

A message was received from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled

An act to increase the compensation of the district attorneys of the State;

A bill to be entitled

An act to authorize a change of venue in certain cases;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills from the House of the following titles, to-wit:

A bill to be entitled

An act for the relief of the heirs of Cornelius O. Sullivan;

A bill to be entitled,

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance.

Mr. Byrn, by leave, introduced a bill to be entitled

An act to repeal an act entitled an act to incorporate the town of Commerce, approved Feb. 15, 1839; and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approve Feb. 3, 1840;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Hinds by leave, introduced a bill to be entitled

An act to regulate the practice in civil and criminal cases in the justices courts in this State;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. Catchings by leave, introduced a bill to establish and incorporate a Lunatic Asylum for the State of Mississippi;

Which was read the first and second time and referred to the committee on the Lunatic Asylum.

Mr. Nash introduced a preamble and resolutions in relation to

certain lands donated by the General Government to the State of Mississippi for express purposes, &c.; which,

On motion of Mr. Whitfield,
Was laid on the table.

On motion of Mr. Whitfield,
The special order entitled,
An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico, |
Was taken up; and,

On motion of Mr. Metcalf,
Referred to a select committee of five.

The Chair appointed as said committee Messrs. Metcalf, Walker, Whitfield, Echols and Yerger.

The special order entitled
An act for the relief of the State Hospital of Mississippi at Natchez,

Was then considered in committee of the whole, Mr. Henry in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House with an amendment, and recommended its passage;

Which was received; and,

On motion of Mr. Stanton,
Laid on the table.

Mr. Wall, a member elect from the county of Amite, was introduced to the House, presented his credentials and took the oath prescribed by the constitution.

On motion of Mr. Simrall,
Leave of absence was granted to Mr. Hurst.

On motion of Mr. Catchings,
Leave of absence was granted to Mr. White.

On motion of Mr. Dilworth,
Leave of absence was granted to Mr. Bynum.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to authorize the members of the board of police of Issa-

quena county to remove the county seat of said county;

An act to apportion the lands of the incorporation of the town of Fulton in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes;

An act to incorporate the Columbus Trades Union Society;

An act to incorporate the town of Lexington in the county of Holmes;

An act to extend the terms of the court of probates of the county of Leake;

An act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

An act to change the time of holding the probate court of Coahoma county;

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county;

An act to change the time of holding the circuit courts of the second judicial district of this State, and for other purposes;

An act for the relief of John Patterson;

An act for the relief of John Dean;

Mr. Huie offered the following resolution:

Resolved, the Senate concurring, that the chairman of the joint standing committee on enrolled bills, be, and he is hereby authorised and required to make the following correction in a bill entitled an act to incorporate the Mississippi Manufacturing Company, passed the present session of the Legislature of said State, to-wit:

In the 3d line of the 2d section of said bill, to insert the words twenty-five, instead of five, so that the same will read twenty-five shares instead of five shares.

On motion of Mr. Huie,

The rule requiring joint resolutions to lie one day on the table was dispensed with,

And the resolution adopted.

Mr. Mason gave notice that he would on to-morrow, or on the first day thereafter that the same can be received, introduce a bill to be entitled,

An act to amend an act organizing and establishing circuit courts, passed Dec. 1833.

On motion,

The House adjourned until to-morrow morning, 10 o'clock.

SATURDAY, JANUARY 22, 1848.

The House met pursuant to adjournment.

Its deliberations were opened with prayer by the Rev. Mr. Hoskins, of the city of Jackson.

On motion of Mr. Ellis,

Leave of absence was granted to Mr. Noble for a few days.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled

An act to amend the several acts for the protection of married women,

Reported the same back to the House with the recommendation that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Cushman from the same committee, to whom was referred a bill to be entitled

An act to change the present mode of electing members of the board of police, and for other purposes,

Reported the same back to the House, with the recommendation that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

On motion of Mr. Huie,

The report of the committee on propositions and grievances, to whom was referred the petition of Mary E. Cocke,

Was called from the table, and the resolution of said committee agreed to, and referred to the committee on ways and means.

A message from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled

An act to divide the fifty-first regiment of the Mississippi militia of De Soto county;

A bill to be entitled

An act to compel banks out of the limits of this State or their assignees, usce or usees of action to take the notes of such banks in payment of their debts;

A bill to be entitled

An act to provide for the support of the poor in the city of Jackson;

The Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled

An act to incorporate Brandon Division No. 7, of the Sons of Temperance in the town of Brandon, Rankin county, Mississippi;

A bill to be entitled

An act for the relief of Joseph D. Foster;

A bill to be entitled

An act to change the time of holding the court of probates for Tippah and Tishomingo counties;

A bill to be entitled

An act to attach portions of Issaquena and Washington counties to Yazoo county, which is amended by way of rider;

A bill to be entitled,

An act to repeal the first, second and third sections of an act to regulate the practice of the Circuit Courts, approved January 22d, 1840, and to amend the laws in relation to forth-coming bonds.

A bill to be entitled,

An act reducing the fees of certain officers therein named, approved February 10th, 1841, so far as the same relates to the counties of Wilkinson and Franklin;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bill from the House of the following title, to wit:

A bill to be entitled,

An act for the relief of John Moore.

The Senate have concurred in the joint resolution from the House directing the Librarian to furnish the Auditor of Public Accounts with one copy of the acts of the Legislature for each session from 1840 to 1846, both years inclusive, and also one copy of Howard & Hutchinson's Digest, and have made the following amendment thereto, viz:

Provided, that there shall be duplicate copies of said books in the library;

In which I am instructed to desire the concurrence of the House of Representatives.

I am further instructed to inform the House that the Senate have adopted a joint resolution in relation to the High Court of Errors and Appeals and the Superior Court of Chancery, and have appointed as a committee on the part of the Senate, Messrs. Guion, Price and Cannon;

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Hinds, the Senate resolution to re-organize the 6th and 7th Judicial Districts, was called from the table.

On motion of Mr. Foote of Noxubee,

The first and second amendments thereto were concurred in.

On his further motion,

The proviso was disagreed to.

The committee on the part of the House, are Foote of Noxubee, Cox, Mason, Weathersby, Godfrey, Houston and Hinds.

Mr. Whitmore, from the select committee to whom was referred the petition of John Stokely, reported the same back to the House and recommended that the prayer of the petitioner be not granted;

Which was received and agreed to.

Mr. Bond, from the select committee to whom was referred the petition of John Courve and Mary Courve, praying an act to be passed emancipating certain slaves therein named, reported a bill to be entitled an act to emancipate certain slaves therein named, and recommended its passage;

Which was read through.

Mr. Bond moved that the report be received and agreed to.

A division being called for, the question was first taken on receiving, and decided in the affirmative.

The question was then taken on agreeing to the report, and decided in the negative.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to wit:

An act to appropriate a portion of the Yazoo City Hospital fund to educational purposes.

An act to annex in the county of Adams, township number 8 of range 2 west, to township number 8 of range 3 west, and for other purposes.

An act for the relief of the heirs of Cornelius O'Sullivan.

An act to incorporate the Louisville division No. 11 of the Sons of Temperance.

An act to authorise the Judge of the Probate Court of Marion county, to hold the terms of his court in the Probate clerk's office of said county.

An act to amend an act entitled an act to incorporate the town of Rodney and for other purposes, approved February 10th, 1846;

And have found the same correctly enrolled.

Mr. Brooke, by leave, introduced a bill to be entitled.

An act to incorporate the Trustees of Eureka Masonic College at Richland in Holmes county;

Which was read the first and second time,

The bill ordered to be engrossed for a third reading on Monday next at 11 oclock.

On motion of Mr. Dilworth,

The report of the judiciary committee in relation to the petition of sundry citizens of Tishomingo county, praying the passage of an act to amend the dowry law in this state, was called from the table and referred to the judiciary committee.

On motion of Mr. Johnson,

Resolved, That the committee on the judiciary be instructed to inquire into the constitutionality of levying an ad valorem tax on all slaves introduced into this state as merchandise.

On motion of Mr. Johnson,

Resolved, the Senate concurring, that the Sergeant-at-arms be and he is hereby required to cause to be removed from the front of the capitol, all slaves offered as merchandise.

On his motion,

The rule requiring joint resolutions to lie one day on the table, Was dispensed with,

And the resolution adopted.

Mr. Hancock presented the following communications from the Hon. George Poindexter and A. G. Brown:

JACKSON, February 15, 1847.

To His Excellency A. G. Brown,

Governor of the State of Mississippi:

SIR—Considering the long course of public service through which I have passed, embracing the best period of my life, com-

mencing in the year 1802, and ending with my retirement from the Senate of the United States, during which period I was honored with the confidence of the people of Mississippi in its territorial form of government, and as one of the States of the Union, as their representative at various intervals in both houses of Congress; as a judge of the highest court of judicature; as a member of the convention which framed the original constitution of the State; as the revisor of its code of statute laws, and as the Executive of the State; and considering also, that at my advanced age, it is not probable that I shall ever again fill any station of public trust in this state, I have been induced, at the suggestion of a portion of my fellow-citizens, to offer, which I now do, for the acceptance of your excellency, and the government of the state, a portrait of myself, taken some years past, by a distinguished artist, to be disposed of in such manner as the public authorities of the state may think fit.

In offering the canvass representation of myself, I beg your excellency to be assured that I am actuated by no sentiment of personal vanity, nor by any feeling of ambition or political aspiration, all of which I have outlived, and merged in the single desire for the prosperity and glory of my country.

For the State of Mississippi, I shall ever cherish feelings of the most unfeigned gratitude for the unsolicited honors which her citizens have so freely and liberally bestowed on me; and if my connection with the state, as a public functionary shall have been dissolved for all time to come, my last prayer will be, that she may grow and flourish in knowledge, virtue and wealth, and stand conspicuous as a bright star in the constellation of the Union.

I have the honor to be, very respectfully,

Your Excellency's most obedient servant,

GEO. POINDEXTER.

—
EXECUTIVE CHAMBER, }
Jackson, Miss., Feb. 18, 1847. }

Hon. Geo. Poindexter, Jackson, Miss.

SIR—Your note of the 15th instant tending a portrait of yourself for the acceptance of the State, has been received. In the absence of any one better authorised than myself and the officers in the capitol to speak for the State, we do what will certainly be

gratifying to the whole people, accept the offering. It will be placed in the room appropriated to the State Library, this appearing to be the most appropriate place for the portrait of one who was long connected with the judiciary of the State, your important aid in framing her first constitution, and finally made her a code of laws, the best that she has ever had, and equal to that of any State in the Union.

I take this occasion to say, that having entered the arena of law and politics in the State of Mississippi after you had left it, I have witnessed with great pleasure the many impressions which your genius has left on the institutions of our State; and I am glad to say that in my intercourse with the people, I have seen very many, who, although unknown to you personally, nevertheless hold you in grateful remembrance.

If it be a source of pleasure to a retired statesman to know, that his past services are not forgotten, no man has more cause to be pleased than yourself. Mississippi will long cherish your memory. Your genius gave stability to her laws, and your eloquence commanded the respect and admiration of her sister States; and, in accepting the portrait you have been pleased to offer, I should withhold the expression of an honest opinion, and do injustice, I think, to a grateful people, if I did not say, that the *real* man will continue to live in the hearts of his countrymen long after this canvass representation shall have passed into ruin.

With sentiments of very high respect,

I am your obedient servant, ¹

A. G. BROWN.

On motion of Mr. Hancock,

The acceptance by the Governor of the portrait from the donor, was confirmed,

And ordered to be removed from the State Library and placed in the hall of this House.

On motion of Mr. Hamer,

Resolved, That the Auditor of Public Accounts be, and he is hereby required to communicate to this House a statement showing what amount of money has been expended by the State in locating the 500,000 acres of land, and also the Chickasaw school land.

A message from the Governor, by his private secretary, Mr. Jones:

MR. SPEAKER—I am instructed by his excellency, the Governor, to inform the House that he has approved and signed the following bills, to wit:

An act to authorise the members of the Board of Police of Issaquena county to remove the county seat of said county; also,

An act to change the time of holding the Circuit Courts in the second judicial district of this State and for other purposes; also,

An act to apportion the hands of the incorporation of the town of Fulton in the county of Itawamba, on the road leading from Fulton to Pontotoc and for other purposes; also,

An act to incorporate the Columbus Trades Union Society; also,

An act for the relief of John Dean; also,

An act to incorporate the town of Lexington in the county of Holmes; also,

An act to extend the terms of the Court of Probate in the county of Leake; also,

An act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith; also,

An act to change the time of holding the Probate Court of Coahoma county.

An act to incorporate Canton Lodge No. 48, of Free and Accepted Masons, in the town of Canton, Madison county.

An act for the relief of John Patterson, approved Jan. 22, 1848.

Mr. Metcalf, from the select committee to whom was referred the Senate bill, entitled an act to appropriate money for the relief of the Mississippi volunteers now in Mexico, reported the same back to the House with sundry amendments by way of a new bill.

Mr. Metcalf moved that the report be received and agreed to.

A division being called for, the question was taken on receiving, and decided in the affirmative.

Mr. Echols offered the following amendment to the report:

Amend the report by striking out in the first section the word "eight" and inserting "five;" strike out in the second section the word "four" and insert "three;" strike out in the third section the word "three" and insert "two."

A division being called for, the question was taken on striking out "eight" in the first section, and decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Arnold, Bardin, Brumfield, Clayton, Dilworth, Echols,

Ellis, Foote of Tippah, Hamer, Hogue, Myers, Neely, Stewart, Suratt and Weathersby—15.

Those who voted in the negative; are,

Mr. Speaker, Messrs. Abbott, Alderson, Bond, Brooke, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Catchings, Collier, Connell, Cushman, Davis, Duke, Foote of Noxubee, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hancock, Harrington, Hill, Hinds, Holden, Houston, Huie, Liddell, Lynch, Mason, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Nash, Neill, Phillips, Powell, Ray, Simrall, Slade, Smith, Steele, Steger, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulne, Trigg, Valentine, Walker, Wall, Weir, West of Holmes, Whitfield, Whitmore, Wilds, Williams, Wilson and Yerger—67.

The question was then taken on the amendments offered to the second and third sections and decided in the negative.

Mr. Dilworth offered the following amendment to the report by way of additional section:

SEC. 4. *Be it further enacted*, That the Governor of the State of Mississippi be, and he is hereby directed to take all necessary and proper steps, without delay, to draw from the Treasury of the United States all such moneys as the State of Mississippi may be entitled to receive not heretofore accepted by the State of Mississippi, arising from the proceeds of the sales of public lands, authorised to be distributed by act of Congress, approved 4th September, 1841; and the said moneys, when so received by the Governor of this State, shall be deposited in the State Treasury to reimburse the State for the amount of the above appropriations, and such other appropriations as may be made on account of the volunteers of Mississippi that have been or may be engaged in the United States service in Mexico: *Provided*, however, that nothing herein shall be so construed as to be an approval by this legislature of the distribution of the proceeds of the sales of the public lands among the several States.

The question was taken on the adoption of the amendment, and decided in the negative by yeas and nays as follows:

Those who voted in the affirmative, are,

Messrs. Abbott, Arnold, Bardin, Campbell of De Soto, Connell, Dilworth, Foote of Noxubee, Foote of Tippah, Harrington, Hogue, Huie, Suratt, West of Holmes, Whitfield, Wilson and Yerger—16.

Those who voted in the negative, are,

Mr. Speaker, Messrs. Alderson, Bond, Broöke, Brown, Brumfield, Byrn, Campbell of Franklin, Carroll, Catchings, Clayton, Cox, Cushman, Davis, Duke, Echols, Ellis, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Hancock, Hill, Hinds, Holden, Houston, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Moore, Myers, Nash, Neely, Neill, Phillips, Powell, Ray, Saunders, Simrall, Slade, Smith, Steele, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, Weir, Whitmore, Wilds, Williams—70.

Mr. Metcalf offered the following amendment:

Amend the second and third sections of the bill, "that said appropriations shall not continue in force for a longer period than one year;"

Which was adopted.

Mr. Phillips offered the following amendment:

Amend by additional section:

Be it further enacted, That the said Capt. Barksdale will give security to the satisfaction of the Governor of the State, that he will well and truly apply said moneys according to the provisions of this act, and that the said Capt. Barksdale be allowed two and half per cent. commissions for receiving and disbursing the same; which,

On motion of Mr. Metcalf,

Was rejected.

Mr. Walker offered the following preamble as an amendment to the report, to wit:

Whereas the existing war between the government of the United States and the republic of Mexico, exists by the act of Mexico, and whereas the same has received the constitutional sanction of all the departments of our government, and was decided by both houses of Congress, without distinction of party, with patriotic unanimity; and whereas, it now becomes the duty of all parties, of all departments of the government of all the States of this union to sustain the government of the United States in a rigorous prosecution of said war, until we secure indemnity for the past and security for the future; therefore,

Sec. 1. *Be it enacted &c.*,

Before any action was taken thereon,

On motion of Mr. Houston,
The House adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY, 24, 1848.

The House met pursuant to adjournment;
And its deliberations were opened with prayer, by the Rev. Mr. C. K. Marshall of the city of Vicksburg.

Mr. Cox presented the claim of R. W. Wood;
Which was referred to the joint standing committee on claims.
Mr. Wall presented the petition of Henry Flowers of Amite county, praying the passage of an act for his relief; which,

On his motion,
Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Wall, Cushman and Hancock.

Mr. Wall presented the petition of John G. Robinson of Amite county, praying the passage of an act refunding to him one hundred dollars; which,

On motion of Mr. Wall,
Was referred to the same committee.

Mr. Holden presented the claim of Wiley J. Butler, against the State;

Which was referred to the committee on claims.

Mr. Hancock presented the memorial and petition of sundry citizens of the counties of Marshall and Lafayette, Pontotoc and Desoto, in relation to the establishment of a new county;

Which was referred to the committee on county boundaries.

Mr. Campbell of Desoto, presented the petition of Garret Ford, asking an appropriation of three hundred dollars for arresting one McDaniel, under the proclamation of Governor McNutt; which,

On his motion,
Was referred to the committee on propositions and grievances.
A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed the bills from the House of the following titles, to-wit:

A bill to be entitled,

An act to incorporate the Camden Lodge, No. 74, of Free and Accepted Masons, in the county of Madison;

A bill to be entitled,

An act to incorporate Scott Lodge, No. 8, of Free and Accepted Masons;

A bill to be entitled,*

An act to incorporate Covenant Lodge, No. 20, of the Independent Order of Odd Fellows;

A bill to be entitled,

An act to incorporate Vicksburg Royal Arch Chapter, No. 3;

A bill to be entitled,

An act to incorporate Columbus Division, No. 9, of the Sons Temperance, in Columbus, Mississippi;

A bill to be entitled,

An act to incorporate the German Benevolent Society of Natchez;

A bill to be entitled,

An act to incorporate the Hebrew Ketusha, a benevolent society of the city of Natchez;

A bill to be entitled

An act to incorporate the Columbus Artillery company.

Mr. West of Holmes, introduced a memorial to the Congress of the United States, now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river;

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. West of Holmes, Thomas of Yazoo, and Wilds.

Mr. Torrey presented the petition of Emily Thompson of the county of Jefferson, praying the passage of a law, declaring her to have been free-born, and that she be allowed to reside in the State of Mississippi, and be capable of holding and transmitting property.

Mr. Torrey moved, that the petition be referred to the committee on propositions and grievances.

Mr. Ford moved that it be rejected;

Which was lost.

Mr. Torrey's motion was then carried, and the petition referred to the committee on propositions and grievances.

Messrs. Davis, Cushman, Abbott, Thomas of Marshall, Alderson, Duke, and Slade, presented sundry claims;

Which were referred to the committee on claims. .

Mr. Brown presented the petition of sundry citizens of the town of Oxford and vicinity, county of Lafayette, praying the repeal of the law of 1842, regulating the mode of obtaining license to sell vinous and spirituous liquors, within the corporate limits of said town; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Brown, Campbell of Desoto, and Whitfield.

Mr. Connell presented the annual report of the school commissioners for the county of Lowndes, to the Secretary of State;

Which being read,

On his motion,

Was referred to the committee on education.

Mr. Fortson presented the petition of sundry citizens of the county of Monroe, remonstrating against the removal of the county site of said county from the town of Athens to the town of Aberdeen.

On his motion,

The bill to be entitled,

An act to remove the seat of justice of the county of Monroe from the town of Athens, and permanently locate it in the town of Aberdeen,

Was called from the table; which, together with the petition,

Was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Fortson, Connell, Steger, Foote of Noxubee, and Neill.

A message from the Governor, by his private secretary, Mr. Jones:

MR. SPEAKER—I am instructed by his excellency the Governor, to inform the House that he has approved and signed the following bill:

An act to incorporate the Vicksburg Baptist church.

Mr. Duke presented the petition of Joshua Nelson, a citizen of Pontotoc county, praying and appropriation of seventy-five dollars for arresting one Wesley Brewer, for the murder of a negro man belonging to said Nelson; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Moore presented the memorial of sundry citizens of Noxubee county, praying the passage of a law to punish certain persons for receiving and smuggling property to avoid the payment of just debts; which,

On his motion,

Was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Moore, Neely, Collier, McAfee, and Godfrey.

Mr. Ray presented the petition of sundry citizens of the town of Oakland, Yalabusha county, praying the passage of an act incorporating said town; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Ray, Foree, and Powell.

Mr. Brooke presented the petition of J. W. Wade, late superintendent of the Penitentiary, setting forth a claim against the State for House rent: which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Brooke, Lynch and Toulme.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles to wit:

An act for the relief of the representatives of Jonathan Hunt, deceased;

An act to incorporate Coffeerville Lodge, No. 83, of Free and Accepted Masons, in the town of Coffeerville, Yalabusha county.

An act for the benefit of John Moore;

And have found the same correctly enrolled.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled, an act to repeal an act entitled an act to exempt from sale, under execution, certain property therein mentioned, approved January 22, 1841,

Reported the same back to the House with sundry amendments, and recommended its passage;

Which was received and agreed to,

And the bill as amended,

Ordered to be engrossed for its third reading on to-morrow.

A message from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to change the time of holding the probate court in the county of Harrison;

A bill to be entitled,

An act to incorporate Yazoo Royal Arch Chapter, No. 8, of Free and Accepted Masons, in the town of Yazoo City;

A bill to be entitled,

An act to authorise the police court of the county of Itawamba to lay a special tax.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to change the time of holding the court of probates of Issaquena county;

A bill to be entitled,

An act to provide for the poor in the city of Jackson;

A bill to be entitled,

An act to amend an act to incorporate the Grenada Bridge and Turnpike company;

A bill to be entitled,

An act to divide the fifty-first regiment of the Mississippi militia of Desoto county;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to wit;

A bill to be entitled,

An act to reduce the per diem allowance of the judge of probates in Lauderdale county;

A bill to be entitled,

An act for the relief of James S. Pritchard, John B. Moore, and Nathan B. Whitehead;

A bill to be entitled,

An act to authorise judges of the probate courts of the various counties of this State to make allowance to executors and administrators in certain cases;

A bill to be entitled,

An act to regulate practice and proceedings in the High Court of Errors and Appeals of this State;

I am further instructed to inform the House, that the Senate have refused to recede from the "proviso" to the resolution from the House, appointing a joint select committee to re-organise the the 6th and 7th judicial districts, &c.

Mr. Connell, from the joint standing committee on claims, to whom was referred the claim of Samuel Word, reported the same back to the House, and recommended that the claim be not allowed; and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

Mr. Connell, from the same committee, to whom was referred the claim of S. B. Newman, reported the same back to the House with the recommendation that it be not allowed;

Which was received and agreed to.

Mr. Walker, from the select committee, to whom was referred the petition for the removal of the property of the minor heirs of Martha Hogg, reported the same back to the House with the recommendation that the prayer of the petitioner be not granted;

Which was received and agreed to.

Mr. Lynch called for the reading of the following message from the Governor, which was received through Mr. Jones, his private secretary:

EXECUTIVE CHAMBER, }
January 22, 1848. }

Hon. John J. McRae,

Speaker of the House of Representatives:

DEAR SIR—In obedience to a resolution of the House, of the 8th inst., I have the honor of herewith transmitting the report of the commissioners, by their president, together with the reports of their treasurer and engineer, which is all the information I am able to give from the books or papers in this office. I should have sooner complied with the request contained in the resolution, but

owing to the absence of most of the commissioners, no report could be made until the present time.

Very respectfully,

J. W. MATTHEWS.

To His Excellency,

Joseph W. Matthews,

Governor of the State of Mississippi:

The commissioners under the act of February 5th, 1841, in relation to the Jackson and Brandon Rail Road and Bridge Company, and the acts of February 25th, 1842, and of February 23d, 1846, amending the same, respectfully report:

That on the 6th day of March, 1846, they met and qualified as a board, and without delay, made preparations for procuring rights of way over the line of rail road between the terminus of the Vicksburg rail road at Jackson and the town of Brandon. In this they succeeded in a short time, and at a small expense as to the whole route, with the exception of that portion which lies within the city of Jackson. This portion embraced of necessity, the use of some of the streets of that city. For an amicable agreement for such use, early application was made to the mayor and aldermen of the city, but without success as to the indispensable object of a connection of the two lines of rail road above described.— This point was regarded by the board, (and so declared,) as a primary duty imposed on them by legislative acts, which could not be waived or conceded consistently with the obligations of the board, or the public interests dependent upon the extension of the road. They regarded the rail road between Jackson and Brandon, as a part of the great project of the Southern Rail Road, which had received the sanction of the States of Mississippi and Alabama, and of the Congress of the United States, and was destined eventually to be one of the most important channels of intercourse and commerce. So regarding it, the board steadily persevered in rejecting any plan of accommodation with the city which should interrupt, burthen or impede the transit of freight and passengers, between the line and the navigation of the Mississippi river. The commissioners do not deem it necessary to review the progress of this controversy. As soon as an agreement with the corporation, on satisfactory terms, seemed to be impracticable, measures were adopted to bring into judicial examination the claim which we as-

serted to a connection of the two lines. A line was surveyed to run mainly on the western parts of a tier of lots on State street, and a jury of inquest was called to assess the damages to the several proprietors. These damages were estimated by the jury to so high an amount as to preclude its adoption even if it had been the best route; and it was accordingly abandoned, and a location made upon another line to pass down the centre of Commerce street. All the necessary arrangements for the use of this line, as far as it passed over private property, having been made, the board let the work to a contractor, who conducted the grading until interrupted by legal process instituted by the city authorities, who denied our right of way over the streets. We had not procured a condemnation of the streets for a right of way, because, we supposed that in using them no private property would be taken, as the jurisdiction of the city authorities over them was deemed to be merely municipal, to involve no right of ownership, but a right of police government conferred by the legislature for public purposes, and subject to law.

With the friendly co-operation of the city authorities in bringing this matter to an early adjudication, a final decision was pronounced by the High Court of Errors and Appeals, in which our right to use the streets for the rail road was affirmed, but upon the condition of a condemnation by jury of the interest of the city. A compromise soon followed, by which, the use of the streets was conceded on conditions entirely satisfactory to the board; a serious embarrassment and source of uncertainty and delay having been thus removed, the work proceeded with every prospect of the completion of a considerable part of the line before the cotton season. In this expectation, we have been disappointed from causes that will appear in the subsequent part of this report.

Soon after our first organization, the assignees of the Vicksburg and Jackson rail road, with commendable promptitude and liberality, sold us a quantity of their surplus iron for our bonds, created under the act of 1841, and bearing eight per cent per annum interest. The quantity was about 137 tons, which is to be paid for at the rate of \$69 30 per ton, the value set upon it by the referees. This being of the H pattern, and weighin about 65 tons to the mile, would of itself, have laid but about two miles of road. As this distance would not have carried our line to the highlands

east of Pearl river, and as the \$25,000 was necessary to complete the bridge, grading, and other payments in preparing the line, it was determined that a lighter must be used on the work. It was hoped that the H iron could be disposed of for cash, and a sufficient quantity of the flat bar procured with the proceeds. Efforts were made to effect this object, but without success, on account of the high rates of freight coastwise, and the want of demand in the western country. After waiting a length of time to effect this desirable object, it became essential to the continued progress of the work, that a more prompt arrangement should be effected. This was done in the face of many obstacles, by procuring the flat bar iron, formerly belonging to the Natchez rail road, and then in the hands of a receiver appointed by the court of Chancery, on the condition of our depositing in his hands an equal number of pounds of the H iron (commonly called T iron) to be held subject to the payment of \$45 10 per ton, for which the flat bar iron had been liable. In pursuance of this arrangement, a sufficient quantity of the flat bar iron was brought up to Vicksburg and Jackson to answer our immediate purpose, and every circumstance seemed to promise favorably to the completion in a few months, of the first part of the line.

Immediate orders were sent and a contract made at Pittsburg, for the delivery at Vicksburg, in the shortest time practicable, of the necessary spikes and plates. The same having been ordered by the board on the first day of June, 1847, we confidently expected compliance with the contract in August, and the readiness of the road in October. Two months after they were expected, a portion of them came to hand, but in so defective a state as to require to pass again through the hands of the blacksmith, and the residue was provided for at home at an increased price. In the meantime, our operations had necessarily been retarded and but a small effective force remained upon the work, which has not been sufficiently recruited up to this date.

Early in December last, we obtained an offer to purchase our H iron, and one of our board was dispatched to Madison, Indiana, to complete the sale. In this he was successful, and has, within a few days past, returned in company with the president of the Madison and Indianapolis rail road company, prepared to receive and pay for the H iron, at a price which would nett to us \$66 per ton

in cash. This sale, completed, would have placed us in ample means to carry out the work on the plan on which we had progressed, and to a point six or seven miles east of Jackson.

After all these efforts, thus apparently brought to a successful result, we regret to be under the necessity of stating that the decision of the High Court of Errors and Appeals declaring the Rail Road Bank assignment to be void, is likely to deprive us of the fruit of these arrangements. The iron obtained by us under the contract with the assignees, has been levied upon at the instance of judgment creditors, and, if sold, will leave us without sufficient means for furnishing the iron necessary for the road. We have yet a hope, however, that something may be done to divert so unfortunate a result, and we are using every proper effort for that purpose.

In relation to a portion of said iron, which we suppose to be exempt from liability to the creditors of the Commercial and Rail Road Bank of Vicksburg, our agent, on his return effected a sale to the President of the Madison and Indianapolis Rail Road to the amount of 48,645 pounds and for the sum of fourteen hundred and thirty-five dollars and fifty-two cents, which sum will remain subject to future arrangement to be made by the board to carry out the conditions upon which said iron was obtained.

The accompanying report of George McLeod, Esq., engineer, is referred to, as exhibiting the operations and condition of the work under our charge. From this, it will be perceived that the materials, except iron, for the superstructure of six or seven miles of the road are delivered, and that the bridge, trussel works and gradings of that distance are completed. In this work, a large distance of trussel work has been substituted by earth embankments which are solid and permanent, the perishable portions being reduced to a very narrow limit. Beyond this portion, a very slight expense (probably less than \$1500) would complete the grading as far east as twelve miles beyond Jackson.

Early in the progress of our labors, and whilst the connection through Jackson was in contest, we made an appeal to the citizens of the eastern counties and of Vicksburg for loans to be made on certain conditions to assist the progress of the work. This appeal was liberally responded to. The connection through Jackson having been afterwards secured, we have not availed ourselves of

these subscriptions further than a sum of \$793, which was voluntarily advanced to expedite the work, by assisting to procure iron &c. This amount together with the sums received on account of the \$25,000 loan out of the two per cent fund, and the \$1435 52, proceeds of iron as above stated, constituted the whole cash means at our disposal. The iron which was received of the assignees of the Vicksburg Rail Road was looked to as the resource for iron on our road, and is likely to fail as a resource for that purpose.

The statement of our treasurer accompanies this report, and sets forth the receipts and expenditures under our management up to this date. We have a sincere desire that the books, accounts and vouchers should be subjected to rigid security. Every expenditure has been made with a proper regard to economy, so obviously necessary to a work of indefinite extent and with very limited means. We believe however that as much has been done as the means admitted of, that the board will punctually meet every engagement and that the difficulties which have prevented the completion of the road were unavoidable. The Pearl river bridge has been the source of anxiety and disappointment. Upon the recommendation of Robert McLeod, Esq., engineer of the Vicksburg Rail Road, "Howe's" plan of construction was adopted as the best and now most approved. The same gentleman became the contractor in June, 1846, to complete the bridge by the next November, and he might have done so, but for the defects of the iron which he had contracted for at Pittsburg, and which, on its arrival was very properly refused. The bridge was not completed until the summer following, and we regret to say, that it is a very defective structure, having settled down seven inches below a horizontal line, and being evidently unsafe until it shall be tested or repaired. Believing these defects to have sprung from faults of material and workmanship, we have refused to pay the final estimate claimed by the contractor, and have referred the question to arbitration.

In the present state of affairs, the work can be completed and paid for within our means, according to existing contracts, up to a point beyond the highlands, provided the iron can be obtained by means of our bonds in the mode stipulated and set forth in this report. In case of the failure of such resource it will be a question to be determined by the board whether the wooden superstructure shall now be completed, or be made to await the receipt of means to furnish the iron rails.

Having thus stated what has been and may be accomplished with the small means placed at our disposal, consisting mainly out of the \$25,000 loan out of the two per cent fund, the commissioners beg leave to add, that, as this work belongs to the State and tends to develop a district of country, unfortunately remote from navigation, and more especially as it is the first step in the great line between Jackson and Montgomery, necessary to connect the Mississippi river by rail road with the Atlantic Ocean, early and effective measures ought to be adopted to extend the line of improvement. With the small amount of aid already given, this road, as soon as the six or seven miles now prepared for the iron shall be completed, will remove the most serious obstruction and will secure to many counties an easy and constant access to market, with one half the distance of wagon transposition to which they have been accustomed.

Our experience in this work enables us to say with confidence, that with the abundance and cheapness of timber and labor, together with the cooperation to be expected from the citizens, any number of miles may be constructed at a cost not exceeding \$1,400 per mile for the materials and workmanship of the wooden superstructure and at a low cost for all the earth and timber work which may be needed. The two per cent. fund will, of itself complete, for the State, a rail road upon the plan adopted by us, extending from 20 to 30 miles beyond Jackson.

For this purpose it will be necessary to procure an act of the legislature providing for the investment of the two per cent fund in continuing the rail road eastwardly and the assent of Congress to its being applied in part west of Brandon. No other event would more readily bring into action the means necessary to complete the great work in its whole extent. Capital always waits on local movement, and this has been looking for some proof of the actual progress and benefits of the rail road. The country is fully awake to the value of the improvement, and will heartily cooperate, as soon as the distrust arising from former disappointments shall have been removed. This can be best and most readily accomplished in the mode we have suggested. A successful beginning will be actively followed up; each more remote point and region will be cheered and encouraged by the first success; the interior will be gradually but certainly brought into easy access to the sea board;

population will increase and the revenue in proportion; and this portion of the State be able to enter on fair terms the markets of the world. Such advantages to an important portion of the State, create imperative duties upon its public servants. The means necessary to an efficient progress are now on hand, provided out of the national resources, and set apart for this national object. With such prospects, we hope to be excused for zealously urging the immediate and active prosecution of a work in which the State and the nation have so large a stake. Respectfully submitted,

GEO. T. SWANN, President.

By order of the Board.

Jackson, Jan. 21, 1848.

*The Jackson and Brandon Rail Road and Bridge Company, in
account with George Fearn, Treasurer.* DR.

To cash expended for Jackson depot lot,	-	\$809 10
" " " " right of way	- -	1682 71
" " " " engineering	- -	2458 41
" " " " graduation	- -	7368 32
" " " " incidental expenses	-	142 42
" " " " Pearl river bridge	-	4038 27
" " " " rail road iron	- -	2202 71
" " " " rail way cars	- -	42 62
" " " " superstructure	- -	3411 83
" " advanced V. Dodge on contract	-	1000 00
" " in hands of treasurer	\$2,458 52	
" " " " Fearn, Donegan & c (no)	43 18	
		2501 60
		\$25,659 05

CR.

By this sum received on State loan,	-	\$24,830 00
" " " " for premium on drafts on N. Orleans,	- - -	36 05
" " sum received on individual loans	-	793 00
		25,659 05
By balance brought down,	-	\$2,501 60
" " of State loan,	-	170 00
		Balance unexpended,
		2671 60

GEO. FEARN, Treasurer.

JACKSON, Mi., Jan'y. 21, 1848.

JACKSON, December, 1847.

To the Commissioners of the Jackson and Brandon Rail Road:

Gentlemen—In compliance with instructions issued to me at a meeting of the board on 17th ult., I beg leave to lay before you the following report of the present condition of work upon the Jackson and Brandon Rail Road, and of the operations upon it during the past eighteen months:

On entering upon the duties of Engineer in July, 1846, I found that so much of the line as extends from the east pier of Pearl river bridge to the bend of the river near Christman's, (a distance of half a mile) had been placed under contract. In this distance, it was intended to erect a trestle work 525 feet in length, and from 25 to 36 feet in height, to replace that built by Major Petrie, which had fallen down, and the timbers of which were too much decayed to be of any use. The remainder of the line was to consist of an embankment, ranging from 4 to 12 feet in height across the second bottom of the river. This embankment was to supersede the trestles which formerly stood there, but were unfit for use. With the approbation of the board, the course of the line across the river was altered as far as the width of the piers would allow, in order to make use of an old wagon road, which crossed the bottom in the direction of our line, thereby reducing the amount of embankment very materially, and providing a more solid foundation for the superstructure. A trestle work 256 feet in length, and from 9 to 12 feet in height was also substituted for a portion of the embankment near the bend of the river, where a strong current sets across the bottom in high stages of water. The prices received by the contractors for the above work, were three dollars per lineal foot for the trestle work near the bridge; one dollar and fifty cents for the trestle work near Christman's, and fifteen cents per cubic yard for the embankment. An examination was next made of Major Petrie's line from Christman's to the crossing of the Westville road at Gourley's for the purpose of ascertaining what repairs would be required to render it fit for use. In this survey the superstructure was found to be so much affected by decay, as to require renewal throughout. In many places not a vestige of it was left, and no where was any portion of it sufficiently sound to be used in relaying the track. The several pieces of trestle work, though standing, were considered unsafe for the

passage of a train of cars, and the embankments exposed to floods from the river, were greatly reduced in width, and in many places liable to be overflowed in high stages of water. The rapid decomposition which the timber of the superstructure and trestles seems to have undergone, is to be attributed solely to the fact, that the road-bed was densely covered with a rank growth of vines, brambles and trash of every kind, which excluded both light and air, and in places where the line was nearly coincident with the natural surface, rendered it difficult to be found. Such being the condition of the road-bed, a heavier expenditure was found necessary than was anticipated. It was determined therefore to renew the trestle work entirely, except in such places where embankments would be preferable, raise the road-bed through the swamp about half a foot, and grade it to a width on top of twelve feet. Embankments were substituted for trestles over two narrow but deep sloughs near Christman's; at another point for a distance of 330 feet, and over a part of Conoway's slough near Petrie's mill. The work was taken at the following prices: The grading between Christman's and Petrie's mill, including clearing to a width of 40 feet, at 15 cents per cubic yard. Grading between Petrie's mill and Gourley's, at \$200 per mile, and the trestle work at \$1 50 per lineal foot. Active operations were commenced upon all of the above mentioned work during the fall of 1846, and the entire line from the river to Gourley's was ready for the superstructure by the middle of December of the same year. While the above work was in course of construction, a line was also surveyed and located through the city of Jackson from the terminus of the Vicksburg road to the west pier of Pearl river bridge. It was placed under contract for the sum of 20 cents per cubic yard of embankment, and ground was broken during the month of September, but a stop was put to our operations in a few days by legal process on the part of the city authorities. No further work was done through the town, until last June, when the graduation was recommenced and completed during the summer.

On the first of January of the present year, contracts were entered into with Messrs. Dodge & Donaher for furnishing the materials and laying the superstructure as far as Reuben Taylor's, a distance of seven miles, and for grading the line from Gourley's to a point within $1\frac{1}{2}$ miles of Brandon, and at the same time I re-

ceived instructions to extend my examination of the line as far as that town, for the purpose of ascertaining the cost of completing the road to it. The result of that survey was laid before the board last May, in a report accompanied by profiles and an approximate estimate. During the winter and spring the contractors were actively engaged in their operations, and by June all of the timber required for the superstructure, was delivered along the line as far as Taylor's, and the graduation completed to a point nine miles from Jackson. After that time, the board having resolved to suspend the work beyond Taylor's until the track should be laid to that point, the force was withdrawn and employed upon the graduation of the line through Jackson, and preparing the timber for putting down the track, which we shortly expected to commence.

From the foregoing statement the board will perceive that all preparations necessary for laying down the superstructure had been made before midsummer, and I confidently anticipated that the first seven miles of the line would be ready for use by the beginning of the cotton season. I need scarcely inform you how erroneous were my calculations, as you are well aware how many and serious were the disappointments we encountered in procuring spikes and plates. A contract had been made with a Pittsburg house, for the delivery of those articles in Vicksburg, in six weeks time, but circumstances beyond our control delayed the arrival of any portion of them until November. A consignment of a few thousand pounds was received, but upon examination they proved to be so badly made, as to require the work of a smith upon them to render them fit for use. Arrangements were then effected by which the remainder of the spikes and plates could be made in this place. The laying down of the superstructure was finally commenced some weeks since, and has been completed through town from the terminus of the Vicksburg road to the west pier of Pearl river bridge. A small force is at present engaged beyond the river, which will be increased after January 1st, sufficiently to complete the distance at present fixed upon by the middle of February.

I should have mentioned in its proper place, that in order to prevent obstructing the navigation of Pearl river by the bridge which has been thrown across it, a channel has been dug between

its west pier and the bank of the stream of such a width and depth as to permit the passage of steamboats, whenever the stage of water prevents them from passing under the bridge. Over this channel a temporary trestle work has been placed, until such time as the navigation of the river by steamboats should call for the erection of a draw. The excavation of the channel cost twelve cents per cubic yard, and the trestle work, three dollars and seventy-five cents per lineal foot.

In preparing the road for the superstructure, the former grades as established by Major Petrie, have been adhered to, except in a few instances where they could be reduced without materially increasing the cost of graduation. The heaviest grade upon the first ten miles of the line is the descent from Pearl river bridge for a distance of a thousand feet. This is at the rate of 40 feet per mile. In making the ascent towards Brandon upon the present route, the grades constantly increase, and upon the last mile the rise is 90 feet. I have no doubt, however, that upon a careful examination of the country, another route to the town might be obtained, upon which the above grade can be materially reduced. The curves upon the route, with the exception of that part through Jackson, where strong curves could not be avoided, are very moderate, the strongest having a radius of 1910 feet. This is near Petrie's mill. By actual measurement, the whole length of the road from the intersection of Court and State streets in the city of Jackson to the terminus of Major Petrie's survey in Brandon, is 14 1-6 miles. All of which is respectfully submitted.

GEORGE MACLEOD,

Engineer J. & B. R. R.

Which being read; was,

On motion,

Referred to the committee on internal improvements.

Mr. Wall by leave, introduced a bill to be entitled

An act to amend an act to reorganize the judicial districts of this State, and for other purposes; which,

On his motion,

Was read the first and second time,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Wall by leave, introduced a bill to be entitled

An act authorizing the judges of the circuit courts of the State

of Mississippi to grant writs of error and supercedeas in criminal cases;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and laid on the table.

Mr. Mason pursuant to notice, introduced a bill to be entitled

An act to amend an act to organize and establish circuit courts;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and referred to the judiciary committee.

Mr. Mason, by leave, introduced a bill to be entitled

An act to establish a board of commissioners, in order to the most useful and economical application of the proceeds arising from the sale of the 500,000 acres of land given for purposes of internal improvements;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and referred to the committee on internal improvements.

The Speaker announced that the hour had arrived for the House to take up the special orders of the day.

Mr. Simrall moved that the special orders be dispensed with,

Which was lost.

On motion of Mr. Yerger,

Leave of absence was granted Mr. Powell.

Mr. Houston gave notice that he would make a motion to reconsider the vote on agreeing to the report of the judiciary committee in relation to a bill reported on by said committee unfavorably.

The unfinished business was then taken up, to-wit:

The adoption of the preamble offered by Mr. Walker, as an amendment to the report of the select committee to whom was recommitted the Senate bill entitled an act to appropriate money for the relief of the Mississippi Volunteers now in Mexico.

Mr. Wall moved that the amendment be laid on the table,

Which was decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Brooke, Brumfield, Byrn, Campbell of Franklin, Carroll, Catchings, Collier, Cox, Foote of Noxubee, Ford, Fortson, Gatlin, Godfrey, Hall, Harrington, Holden, Houston, Mason, McInnis, McLaurin, Myers, Nailor, Sanders, Simrall, Slade, Thomas of Yazoo, Toulme, Wall, Wier, West of Holmes, White, Williams, and Yerger—36.

Those who voted in the negative are,

Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Campbell of Desoto, Cleveland, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Foree, Garrett, Hamer, Hancock, Hill, Hinds, Hogue, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Neill, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Torrey, Trigg, Valentine, Walker, Weathersby Whitfield, Whitmore and Wilson—50.

Mr. Brooke offered the following amendment to the preamble, to-wit:

Amend by adding "and whereas the General Government has utterly failed to furnish sufficient supplies to the volunteers now in Mexico."

Mr. Metcalf moved to reject the amendment;

Which was decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Clayton, Cleveland, Connell, Collier, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Phillips, Ray, Slade, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby Whitfield, Whitmore and Wilson—69.

Those who voted in the negative are,

Messrs. Brooke, Catchings, Cox, Foote of Noxubee, Ford, Johnson, Mason, McInnis, McLaurin, Myers, Nailor, Saunders,

Simrall, Wier, West of Wayne, West of Holmes, White, Williams, and Yerger—19.

Mr. Catchings offered an amendment to the preamble;

Which was decided by the Chair to be out of order, under the 28th rule of the House.

Mr. Brooke offered an amendment to the preamble.

Objections being made to the reading of the amendment, it was withdrawn.

Mr. West of Holmes offered the following amendment:

Amend the preamble by striking out the words "by the act of Mexico."

On motion of Mr. Metcalf,

The amendment was rejected.

Mr. West of Holmes offered the following amendment:

Be it further enacted, That as in the opinion of this house, the war is just, honorable and righteous, and as men are more necessary to sustain this war than money, therefore the patriotic supporters of this preamble appropriate themselves to the battle-field in Mexico with the above amount of money.

On motion of Mr. Hamer,

The amendment was rejected.

On motion of Mr. Dilworth,

The refusal to read the amendment offered by Mr. Brooke, was reconsidered, and permitted to be read, and is as follows:

Amend by adding, "and whereas also, it is necessary to sustain the president in all his acts, therefore be it

Resolved, That this House approves of the act of President Polk permitting Gen. Santa Anna to pass the blockading squadron at Vera Cruz, and it is the opinion of this House that said act evinced great sagacity and foresight on the part of the president.

Resolved further, That the recommendation of the president of the appointment of a Lieutenant General to supercede Generals Taylor and Scott, was also an act every way worthy of the approval of the country, as one of consummate statesmanship, wisdom and patriotism.

Resolved further, That the thanks of this House be presented to the honorable Jacob Thompson for his efforts in seconding the aforesaid recommendation of the president, and for his resolution of censure of Gen. Taylor consequent thereon, and that our sena-

tors and representatives in Congress be instructed to follow the example set them by the said Jacob whenever occasion requires.

Resolved further, That in all the marches, battles and sieges that have taken place in the war now waged with Mexico, the General Government has furnished all necessary supplies of men and means of transportation, and that although Monterey is a walled town, yet Gen. Taylor in the attack thereon, had no occasion for heavy ordnance, and therefore the government was decidedly right in not furnishing Gen. Taylor with such ordnance.

Resolved further, That we approve of the act of the president withdrawing the greater part of Gen. Taylor's force after the battle of Monterey—well knowing as we do, and as the president must have known, that old Zack, with a handful of men was more than a match for Santa Anna, with an army of 20,000 men at his command.

Resolved further, That we heartily approve of the late message of the president, denying any power to the General Government to undertake any works of internal improvement in our country, however general and national in its nature, and at the same time we approve of the act of the president in sending vessels to explore the "Sea of Gormorrah and the regions round about Jordan," and we also heartily concur in his recommendation that the General Government should build a rail road across the isthmus of Tehuantepec in Mexico, inasmuch as there is a vast constitutional difference between carrying on such works of internal improvement in our own country and a foreign country, the constitution clearly forbidding the former, and as clearly sanctioning the latter; therefore

Be it enacted, &c.

Mr. Hinds moved the rejection of the amendment;

Which was decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin Bond, Brooke, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Catchings, Clayton, Cleveland, Collier, Connell, Cox, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall Hamer, Hancock, Har-

rington, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Moore, Myers, Nailor, Neely, Neill, Phillips, Ray, Sanders, Simrall, Slade, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, Weir, West of Holmes, Whitfield, Whitmore, Williams, Wilson, and Yerger

Mr. White voted in the negative.

Mr. Brooke offered the following amendment:

Amend by inserting after the word "exists" in the third line, the words "in the opinion of the democratic party."

On motion of Mr. Whitfield,

The amendment was rejected.

Mr. Collier offered the following amendment:

Amend by inserting after the word "Mexico," the following: "on her part in opposition to the annexation of Texas only."

Mr. Metcalf moved the rejection of the amendment;

Which was decided in the affirmative by yeas and nays as follows:

Those who vetod in the affirmative are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Catchings, Clayton, Cleveland, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Hancock, Harrington Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Moore Neely, Neill, Phillips, Ray, Simrall, Slade, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, Weir, West of Holmes, White, Whitfield, Whitmore, Williams, Wilson, and Yerger—79.

Those who voted in the negative, are

Messrs. Brooke, Collier, Cox, Ford, Johnston, Nailor, and Sanders—7.

Mr. Yerger offered the following amendment:

Whereas, war exists between the government of the United States, and the Republic of Mexico; and whereas the same has

received the sanction of both houses of Congress; and whereas, it now becomes the duty of all parties of all departments of the government, and of all the states of this Union, to sustain the war until peace is made, therefore be it enacted, &c.

Mr. Whitfield moved to re-commit the bill with the amendments to a select committee of five;

Which was lost.

Mr. Simrall moved that the House adjourn,

Which was lost.

Mr. Lynch then moved the rejection of the amendment offered by Mr. Yerger,

Which was decided in the affirmative by yeas and nays as follows:

Those voting in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Clayton, Cleveland, Connell, Cushman, Dampier, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Hall, Hamer, Hancock, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, and Wilson—61.

Those who voted in the negative, are:

Messrs. Brooke, Catchings, Collier, Cox, Ford, Godfrey, Johnston, Mason, McAfee, McInnis, Myers, McLaurin, Nailor, Saunders, Simrall, Slade, Wall, Weir, West of Holmes, White and Yerger—21.

Mr. Collier offered the following amendment:

Provided, that the reception of the appropriation by the officers and soldiers shall not be regarded as a sanction or adoption of the preamble by them or a change of their opinions as to the cause of the war.

On motion of Mr. Dilworth,

The amendment was rejected.

The question was then taken on the adoption of the preamble; And decided in the affirmative as follows, viz:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Clayton, Cleveland, Connell, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Hall, Hamer, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Phillips, Ray, Steele, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, Whitfield, Whitmore, and Wilson—65.

Those who voted in the negative, are,

Messrs. Brooke, Catchings, Collier Cox, Foote of Noxubee, Ford, Godfrey, Johnston, Mason, McInnis, McLaurin, Myers, Nailor, Saunders, Simrall, Slade, Weir, West of Holmes, White, Williams and Yerger—21.

The question was then taken on agreeing to the report as amended;

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of F. Carroll, Clayton, Cleveland, Collier, Connell, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Hall, Hamer, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Moore, Neill, Phillips, Ray, Sanders, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, Whitfield, Whitmore, and Wilson—66.

Those who voted in the negative; are,

Messrs. Brooke, Catchings, Cox, Foote of Noxubee, Ford, Godfrey, Johnston, Mason, McInnis, McLaurin, Myers, Nailor, Simrall, Slade, Weir, West of Holmes, White, Williams, and Yerger—19.

On motion of Mr. Liddell,

The rule was suspended,

And the bill read a second time by its title forthwith; and,

On motion of Mr. Whitfield,

The amendments were ordered to be engrossed and made the

special order of the day for a third reading on to-morrow at 11 o'clock, in preference to all other special orders.

Mr. Whitfield offered the following resolution:

Resolved, That so much of the standing order requiring this House to adjourn at 2 o'clock be, and the same is hereby rescinded; Which, by rule, lies over one day.

On motion of Mr. Catchings,

The House concurred in the Senate resolution making the committee on education a joint standing committee.

On motion of Mr. McWilliams,

The House adjourned until to-morrow morning 10 o'clock.

TUESDAY, JANUARY 25, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Hoskins of the City of Jackson.

The speaker presented the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, }
Jackson, January 24, 1848. }

Hon. John J. McRae,

Speaker of the House of Representatives:

SIR:—The following resolution of the House of Representatives, adopted on the 17th instant, was communicated to me on the same day:

"Resolved, That the Auditor of Public Accounts be, and he is, hereby requested to communicate to the House as soon as convenient, the amount of the defalcation of Tax Collectors during the last four years, the names of such defaulters and their counties, the dates and amounts of their several defalcations, at what time suits were instituted, and in all cases where suits have not been brought, the cause of its not being done."

In obedience to the above resolution, I have examined the ledgers of the office setting forth the accounts of the collectors in all the counties, embracing the taxes for 1843, due 1st March, 1844; for 1844, due 1st March, 1845; for 1845, due 1st May, 1846; for 1846, due 1st May, 1847; and deduce from said accounts, as stated, the balances exhibited in the accompanying statement, marked A. I have exhibited the accounts as they appear on the ledger: but I will observe that the balances in all cases have not yet been brought up; in some of them, I have been informed by my predecessor, that he has not completed a balance

on account of the collectors having some offsets against their apparent indebtedness, which they have not yet brought forward, and which would vary the balances now appearing. But I could only answer the resolution of the House by summing up the items of debit and credit as I found them posted, shewing the amount stated. There is no official register in the office, shewing "at what time suits were instituted," and for the same reason I am unable to report "in all cases where suits have not been brought, the cause of its not being done."

I have endeavored, since I entered the office, as fast as intervals have occurred from the daily transactions of business, to ascertain the balances due, which are already sued for, and so to prepare the necessary statements for suits in cases on which suits have not been already brought. In all such cases, it is my intention to request the proper District Attorneys to bring suit at the ensuing term of the Circuit Court.

In the case of the late collector of Rankin county, (S. L. Steen, Esq.,) I might have forwarded the certificate before now, but have been informed that there is no coroner in the county to serve the notice. Should there be suit brought under such circumstances the State would be defeated. This is one of those cases shewing the defect in the revenue law, adverted to in my general report of the 12th instant.

In the case of Thomas J. Likens, Esq., of Washington county, my predecessor has shewn me a warrant, endorsed as genuine, for an amount equal to the balance against him, which was offered by Mr. Likens at the treasury, and refused, on the ground that a previous payment had been made of a warrant corresponding in date, number, amount and person to whom issued. I have investigated this matter to some extent, and am convinced of the genuineness of the warrant, and that, if sued for, the balance could not be collected. The case calls for some action by the legislature, in justice to this collector.

James M. Green, Esq., late tax collector of Itawamba, stands charged on the books with \$274 86 for part of the tax of 1843, on which a payment has been made by the District Attorney in charge of the case, of \$120 83. I am not in possession of official information as to the present condition of the suit.

In the case number 13, of Mr. Laughman, I have been informed by the District Attorney, Mr. Martin, that he has collected \$347 in part of the amount, which he is awaiting an opportunity to remit to the treasury. I am not able to report from the books, whether he was sued for the whole amount of the several balances.

In number 14, of Tillman Mitchell, of Kemper county, I report the balance against him, notwithstanding an act passed February 13, 1846, directed a credit of \$1745 25 on his account for 1843 and 1844. I am not advised that he has yet given the preliminary bond to indemnify the State against the warrants alleged to have

been burnt, which is required by the 2d section of said act. Acts 1846, p 356.

From the foregoing report, it will be perceived by the House, that I am unable to answer as definitely as I would desire, the two last inquiries contained in their resolution. In order both to satisfy this desire of the House, and to prevent any injustice to the collectors which might result from my naked report of the balances against them, I have requested the late Auditor to give me in writing, such information, within his knowledge, as may serve to answer the wish of the House, and present all just explanations relative to the indebtedness of the collectors. He has furnished me a written statement which accompanies this report, and although not strictly in order, I yet beg leave to submit it, as furnishing the best response within my power to the latter clause of the resolution before me. In connection with the explanations given as to the case of Mr. Laughman, by Col. Matthews, I would suggest the expediency of requiring the clerks of the circuit court, after a decision, on motion against a collector, in which he obtains credit by the judgment of the court for a larger amount than the allowance made by the Auditor, to certify to this office the amount for which the collector is sued, and the amount of the recovery, and requiring the Auditor on this voucher to enter the proper credits on the ledger. According to the present system, there is no mode of ever settling the balance on the books of the office, until a final collection of the whole claim. Should the District Attorney fail of success for any portion, the balance cannot be struck.

I beg leave in connection with this subject, also to observe that by the 47th section of the revenue act, of 1846, in case of non-payment of the revenue into the Treasury, at the day required by law, the collector is required peremptorily to pay "thirty per cent. per annum damages, from the time the same shall be due, until paid." No exemption from this penalty is granted by the law, in express terms, except the allowance for insolvencies, in the manner provided in the 38th section. It is nevertheless certain that failures may occur in other modes, under circumstances which would induce a jury to find against the State on a suit for damages. It may be expedient to require the Auditor, under check of the approval of the Attorney General and Treasurer, and with the consent of the Governor, to be filed in the office, to remit damages in such cases as the legislature, in its wisdom, may deem proper for relief. An undefined discretion on this head ought not to be allowed to the Auditor himself.

Although, probably, out of place in this report, I deem these two points so intimately connected with the subject matter of your resolution, that I hope to obtain the pardon of the House for introducing them at this time.

I have the honor to remain your obedient servant,

GEO. T. SWANN, Auditor of Public Accounts.

STATEMENT A.

LISTS of Balances due the State of Mississippi by the Tax Collectors of the following Counties:

Counties.		Names of Collectors,	Due on ac- count of 1843.	Due on ac- count of 1844.	Due on ac- count of 1845.	Due on ac- count of 1846.
Bolivar,	1	Isaac Hudson,				\$134 31
Carroll,	2	William Ranson,	\$550 98	\$33 11		
Claiborne,	3	Richard M. Moore,		~~550 98~~	\$1,949 23	571 44
Clarke,	4	James Lee,			18 35	948 37
Coahoma,	5	Philip Poindexter,		323 74		
Copiah,	6	Thomas Holladay,	1,015 07	369 57		
Ditto,	7	John C. Wade,			991 42	628 18
Desoto,	8	James H. Murray,				82 27
Green,	9	Walter Denny,				7 08
Hancock,	10	Benjamin Sones,		28 75		
Harrison,	11	Thomas A. Hester,				10 01
Holmes,	12	John D. Wyatt,	17 16			
Jefferson,	13	Samuel Laughman,	1,747 84		1,285 28	828 46
Kemper,	14	Tillman Mitchell,	1,587 78	225 00		
Ditto,	15	Charles C. Scott,			230 21	
Lauderdale,	16	W. V. Raney,				15 00
Magison,	17	W. S. Bailey,			1,315 24	
Marshall,	18	Wyatt Eppes,	1,012 57	575 92		
Newton,	19	N. B. Johnson,				91 96
Noxubee,	20	Thomas D. Wooldridge,	1,592 00	290 00		

Statement A continued.

Counties.	Names of Collectors.	Due on ac- count of 1843.	Due on ac- count of 1844.	Due on ac- count of 1845.	Due on ac- count of 1846.
Noxubee, 21	Isaac D. Willbourne,			1,143 74	
Oktibbeha, 22	James W. Eastland,				710 16
Panola, 23	W. W. Smith,		584 03 $\frac{3}{4}$		
Rankin, 24	Silas L. Steen,		850 00		
Scott, 25	David R. Jones,			9 22	
Simpson, 26	William McCaskill,		253 16	329 22	
Tippah, 27	S. N. Pryor,	566 01	125 60		
Tishomingo, 28	W. L. Duncan,				358 48
Tunica, 29	R. J. Thornton,	182 42			
Warren, 30	E. B. Scarborough,	383 98			
Washington, 31	Thomas J. Likens,		250 00		
Ditto, 32	R. J. Turnbull,				657 40
Winston, 33	James B. McClelland,		24 51		
Yallobusha, 34	Lorenzo B. Stewart,	1,854 03	1,764 08	726 46	
Yazoo, 35	John W. Fuqua,			98 04	
		\$10,509 84	\$5,697 47 $\frac{3}{4}$	\$8,096 41	\$5,043 12
Total.					\$29,346,84 $\frac{3}{4}$

AUDITOR'S OFFICE, Jackson, Miss. January 24, 1848.

AUDITOR'S OFFICE, }
Jackson, Jan. 21, 1848. }

Col. George T. Swann, Auditor &c.

SIR:—In compliance with your request, I proceed to give you the necessary explanations in reference to the balances remaining unsettled by the tax collectors during the last four years, so that the matter may be clearly understood by the legislature, and that no injustice may be inflicted upon the reputation of any collector. I shall proceed to notice each case in the order in which you have presented them.

No. 1. Isaac Hudson, Bolivar county; balance due for 1846, \$134 31. I have no excuse to offer for him, that I recollect, only that he has usually been a punctual collector, and during one year, paid in advance, or overpaid what was due upwards of \$1000. He has not been sued, believing it unnecessary.

No. 2. William Ransom, Carroll county, for taxes of 1843, \$550 98, and for 1844, \$33 11. This defalcation is only apparent. In the settlement of his account for 1844, his insolvent list had not been made out, and in consequence, his commissions could not be estimated. The settlement of the balance was postponed until his insolvent list could be examined and approved by the Board of Police. Mr. Young, his son-in-law, at the time, who was his deputy, and was in extreme bad health, made the settlement. When he returned home he was taken down, and never rose from his bed, but died. Mr. Ransom was also in such extreme bad health as to be unable to come down to settle himself, and soon followed Mr. Young to the grave; and the insolvent list not having been sent down, neither it, nor commissions have been allowed. It is believed when these credits are given, the State will be indebted to Mr. Ransom's estate. Under these circumstances he was not sued.

No. 3. Richard M. Moore, Claiborne county, for 1845, \$1,949 23, and 1846, \$571 44. In this case, I will remark, that on settlement, Mr. Moore presented an insolvency for the Port Gibson Bank. I refused to receive it, and instructed him to go back and proceed by distress against the bank. The State tax due from the bank was \$1,315 20. He made the effort to collect as I am informed, but was defeated. I, also, did not allow his commissions, as I could not determine what they would be, until it was determined whether he could collect the bank insolvency. Mr. Moore has not furnished the necessary proof, such as could be filed as a voucher on which I could credit him, yet being fully apprised that he has failed to collect, and that, therefore, he was entitled to a credit of upwards of \$1,800, I did not sue him. Suit has not been instituted on the balance (\$571 44) as I could not get my books up and balanced until September—and being pressed continually by the labors of the office, and making out my report,

together with the knowledge that Mr. Moore has been a prompt collector, I did not sue him.

No. 5. Philip Poindexter, tax collector of Coahoma county for 1843, \$323 74. Mr. Poindexter was sued for \$405 87 on the State tax for 1843, and for \$1,171 State tax for 1844. I succeeded in collecting all but the above amount of \$323 74. Mr. Poindexter and his surities, according to my recollection, have been represented to me as insolvent, and I consider the prospect of collecting the balance, as hopeless.

No. 4. James Lee, of Clark county, for 1845, \$18 35; for 1846, \$948 37. I sued Mr. Lee on his defalcation of 1845, which was, without damages, \$371 71. After suit was brought Mr. Lee came to settle with me himself, and I charged him \$94 damages, making \$465 71. He settled part of the amount with me, and the District Attorney has since paid over all but \$18 35 which remains against him. In consequence of his last defalcation, I, several months since, recommended his removal to Governor Brown, but whether he removed him, I am not advised. I recollect when Mr. Lee made a partial payment for 1846, he offered as an excuse the continued sickness of his father's family, and that one of his deputies had collected a considerable amount of the taxes, and refused to pay them over. He has not yet been sued, in consequence of the pressing labors to which I have been subjected, before alluded to. This is a case which you will recollect, I directed your attention to shortly after you came into office, as one on which suit should be instituted.

No. 6. Thomas Holladay, Copiah county. Suit was promptly ordered by me, on the balance due by him for defalcation of 1843. The account was placed in the hands of E. G. Peyton, District Attorney, but no return has yet been made by him. In reference to his last defalcation, I will remark that suit was not brought because Mr. Holladay presented me satisfactory evidence that the assessment list furnished him to collect by, estimated the taxes due as much less than the one sent to this office, and by which he was charged. He was requested by me to have the necessary correction made and certified by the Board of Police, so that the charge against him could be corrected. No such certificate has yet been received.

No. 7. John C. Wade, of Copiah county. Suit was instituted on his defalcation for 1845, since which \$100 has been settled and the balance (\$881 42) remains unsettled. The last balance for 1846 has not been sued on. The same difficulty exists in the land assessment for 1845, by which he had to collect, as mentioned above in Mr. Holladay's case, being the same assessment, and in the last case (the tax of 1846) Mr. Wade did not get his assessment lists until late in the last summer, owing to the first assessment having been rejected by the Board of Police.

No. 8. James M. Murray, of Desoto county. No suit has

been instituted against him. The reasons were, that Col. Murray had a large claim against the State which he presented for payment, but a considerable portion of it, though manifestly just, (the amount having actually been paid out by him for the State,) yet the law had not given the Auditor power to allow all the items of the account. The settlement was therefore suspended until the legislature could act on the account, as I deemed it unjust to sue an individual, when in justice and equity, the State owed him the amount.

No. 9. Walter Denny, Greene county. No suit has been instituted on this little sum of \$7 08 for 1846. Mr. Denny has always been a prompt and faithful collector, and will doubtless pay without suit.

No. 10. Benjamin Sones, Hancock county. Suit ordered, but no return from District Attorney.

No. 11. Thomas A. Hester. Suit was instituted, and all collected and paid over by the District Attorney, except \$10 01, which remains unsettled for. It is due to Mr. Hester to state that the balance on which he was sued was small, and doubtless would have been paid by him to the Auditor, had not the suit been instituted in a very short time after the amount was due, as was the case in all the suits brought for collections of 1845. Mr. Hester has usually been a punctual collector.

No. 12. John D. Wyatt, \$17 16, for 1843. This is only an apparent defalcation of Mr. Wyatt. The county treasurer retained for his commissions this amount on retailing licences, and refused to pay it over to Wyatt. He was charged with the whole licences as reported by the clerk, as the law required, but as he could not collect it from the county treasurer, he should be credited with the amount, and would have been if I had had the lawful authority to do so.

No. 13. Samuel Laughman. Mr. Laughman has been sued and part of the money is collected and in the hands of Mr. Martin, District Attorney. Upwards of \$1600 of his defalcation, is on account of an insolvency of the Commercial Bank of Rodney, which I am informed he has failed, after an attempt to collect by distress, pursuant to my order, and which should be credited to him upon presentation of the proper voucher.

No. 14. Tillman Mitchell, Kemper county. The aggregate of the balances against him, is \$1812 78. He is entitled to an allowance for commissions for collecting about \$50, and he had \$1,745 25 in warrants, burnt, for which the legislature granted him relief in 1846. These two items come within a few dollars of balancing his account.

No. 15. Chas. C. Scott, Kemper county. Mr. Scott is not a defaulter. The voucher containing his settlement has been mislaid, by which I was unable to post up the amount allowed him for insolvencies and commissions. His account was all settled, and but for the loss of the voucher, would stand balanced on the ledger.

No. 16. Wm. V. Raney, \$15, for 1846. No suit has yet been instituted to collect this little balance. I have found Mr. Raney a faithful collector.

No. 17. Wm. S. Bailey, Madison county, for 1845. Suit was not instituted in this case because it was known that Mr. Bailey had a large insolvent list, on account of the Citizen's Bank of Madison county. It was supposed when this insolvency was received it would balance his account. In this, however, we were mistaken. Mr. Bailey has been an excellent collector, and the defalcation originated in a mistake on both sides as to the amount of the insolvency, which was not ascertained until a few months ago.

No. 18. Wyatt Epps, Marshal county. Suit has been pending a long time in this case and has been put off from court to court by the defendant.

No. 19. N. B. Johnston, Newton county. Mr. Johnston died pending the time of collection, and his deputy has paid what, as he says, he had collected prior to his death, leaving \$91 91 not collected.

No. 20. Thomas D. Wooldridge, Noxubee county. The balance due from 1843, was collected by Watson C. Joiner, prior to 1st November, 1843. Mr. Wooldridge could not therefore collect it, but being the tax collector 1st of March, I charged Wooldridge with the *whole* tax. When Wooldridge came to settle, he produced evidence that Mr. Joiner had collected the amount, which appears in your statement to be a defalcation of Wooldridge. I sued Joiner on the amount. Henry Gray, at present a member of the senate, was the District Attorney to whom the account was sent. At last advices, the money was not still collected, but as a petition was sent me to indulge Joiner longer, I presume a judgment has been obtained. I could not and did not grant any indulgence. I also sued Mr. Wooldridge on the \$290 defalcation for 1844, but have not received any evidence of its having been collected.

No. 21. Isaac Welbourne, Noxubee county. Mr. Welbourne is not a defaulter for a cent. The amount standing to his name was collected by Thomas D. Wooldridge, his predecessor, before Welbourne was elected. Wooldridge, I am advised, immediately absconded, without paying it over. His securities were promptly sued, and I presume the suit is still pending, as I have not had notice from the District Attorney, E. A. M. Gray, of its collection.

No. 22. James W. Eastland, Oktibbeha county. Suit not commenced. Mr. Eastland, I am credibly informed, as well as his lady, has been in extreme bad health, and having been a faithful collector heretofore, I did not sue him.

No. 23. Wm. W. Smith. Suits were instituted against Mr. Smith for upwards of \$4,000 including his defalcation for 1843 and 1844. He has, I am advised, paid up the principal in both cases,

as decided by the court, but certain credits given him by the court or jury, upon trial, have not been certified to me, in proper form, to be carried to his credit. I claimed damages from him in the account sent to the District Attorney, (J. W. Thompson,) but at last accounts, no damages had been collected. I have addressed a letter to Mr. Thompson, in which I enquired about the damages, some time since, to which I have not received a reply.

No. 24. Silas L. Steen, Rankin county. This defalcation was for licences for retailing spirits of which I had no knowledge until shortly before my term of office expired. A citizen of Rankin informed me that licences had been collected, and upon enquiry, I found his statement to be true, and from a full report elicited by my enquiry, from the Probate Clerk, I charged him with the amount stated by you, which he has not paid, although immediately called on by me to do so.

No. 25. David R. Jones, Scott county. I recollect calling Mr. Jones's attention to this, and he insisted that he was entitled to a credit for the amount on some account, which I cannot recollect, but I recollect that I was satisfied of the correctness of what he contended for, but think the necessary voucher to authorise the credit, was not at the time in his possession. Being a prompt and faithful collector, he would have paid but for the fact that he was entitled in justice to the credit of his account.

No. 26. William McCaskill, Simpson. Suits were ordered by me in both cases for each successive year. But I am advised by you that the State has been defeated, by the overruling or dismissal of the motions of the District Attorney.

No. 27. Samuel N. Pryor, Tippah county. In this case, the same difficulty existed as in several other cases mentioned above. The old collector, Thomas Moore, collected about half the tax prior to November, and Mr. Pryor being collector when the taxes became due, was charged with the whole tax. My recollection is, that Mr. Moore was really the defaulter for 1843, and, suit was ordered against him if I am not mistaken in my recollection, which is the reason why Mr. Pryor was not sued.

No. 28. William L. Duncan, Tishemingo county. This is a balance due for 1846. No suit yet instituted.

No. 29. R. J. Thornton. Suit was promptly commenced, or ordered. The account was sent to George R. Wilson, District Attorney, who is now dead. No report of its having been collected by him, has been received.

No. 30. E. B. Scarbrough, Warren county. The defalcation in this case is only apparent. Mr. Scarbrough has had no allowance for his commissions for collecting, which amount to more than the apparent defalcation.

No. 31. Thomas J. Likens, Washington county. Mr. Likens tendered the whole amount due from him to the treasury, but owing to a forged warrant having been received in the treasury

previously, for \$250, of the same date, amount and payable to the same person of one offered by Mr. Likens, the treasurer would not receive it, owing to the law requiring him to refuse any warrant where one of the same character had been received. Mr. Likens' warrant was genuine, and he deposited his genuine warrant with me, expecting the legislature to pass a law, by which he could pay it in. I have not therefore sued him, as it would have been unjust, and must have ended in throwing the State in the costs.

No. 32. R. J. Turnbull, Washington. I have no apology to offer, only that he says, that he only collected about \$1,900 before he resigned, and nearly all that was in county paper, and the county has not yet redeemed it so as to enable him to pay up.

No. 33. James B. McLeland. I can only say, that, I think, I sent this little amount to the District Attorney for collection. I did not always record the accounts when sent out, but my rule was, when I got the books balanced, to take up the defalcations in regular order, and send off my certificates until I got through. In justice to Mr. McLeland, I will say that he was a very prompt collector.

No. 34. Lorenzo R. Stewart, Yalobusha county. In this case, I made out accounts against Col. Stewart to sue him, but in consultation with the Governor, suit was suspended, on account of his having sent an amount sufficient to have paid up in due time by one James Wade, who kept the money and betrayed his trust. We had satisfactory evidence that Mr. Stewart was straining every nerve to repair his heavy loss of between 3 and \$4,000, and it was deemed a great hardship to sue him under the circumstances.

No. 35. Suit was promptly ordered in this case. But it is due to Mr. Fuqua to state that I consider him among the best collectors in the State, and this little balance, I am satisfied was not the result of negligence on his part, but in making sundry payments through a deputy, he supposed that he had paid up, and this balance is, as I believe, the result of a mistake by his deputy who made all or nearly all the payments.

I have thus, after a close review of the books, hastily offered you such explanations as are within my knowledge and recollection, all of which is respectfully submitted by

Your obedient servant.

JAMES E. MATTHEWS.

Which being read,

On motion of Mr. Weir,

The communication with the accompanying documents was laid on the table.

Mr. Weir moved that the vote taken to lay the communication with the accompanying documents on the table, be re-considered;

Which motion was lost.

Mr. Weir moved that 2000 copies of the foregoing communication and accompanying documents of the Auditor be printed;

Which was lost.

Mr. Metcalf moved that 1500 copies be printed,

Which was lost.

His further motion to print 1000 copies,

Was decided in the negative.

On motion of Mr. McConnell,

Five hundred copies were ordered to be printed.

The Speaker also presented the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, }
Jackson, Jan. 24, 1848. }

Hon. John J. McRae,

Speaker of the House of Representatives:

SIR—I have been furnished with a copy of the following resolution of the House of Representatives, adopted on the 22d instant:

Resolved, That the Auditor of Public Accounts be, and he is hereby required to communicate to this House a statement showing what amount of Money has been expended in locating the 500,000 acres of land, and also the Chickasaw school lands.

From the disbursement books of the office, I have the honor to report the following issues of warrants, in obedience to the above resolution:

On account of the location of State lands, there was

Issued for the fiscal year ending 1st March, 1843,	\$939 16
“ “ “ “ “ “ “ “ 1844,	3561 77
“ “ “ “ “ “ “ “ 1845,	9022 00
“ “ “ “ “ “ 1st May 1846,	2819 00
“ “ “ “ “ “ “ “ 1847,	1 00 00

Total on account of State lands, . . . \$16441 93

On account of the location of the Chickasaw School lands, there was

Issued, for the fiscal year ending 1st March, 1844,	\$5241 64
“ “ “ “ “ “ “ “ 1845,	2993 00
	\$8,234 64

Respectfully submitted,

GEO. T. SWANN,
Auditor of Public Accounts.

Which being read, was,

On motion of Mr. Wall,
Laid on the table.

The following message was received from the Senate by Mr. Tebo their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act for the relief of James S. Pritchard, John B. Moore and Nathan B. Whitehead.

A bill to be entitled,

An act to authorise Judges of the Probate Courts of the various counties of this State to make allowances to executors and administrators in certain cases.

A bill to be entitled,

An act to regulate the practice and proceedings in the High Court of Errors and Appeals of the State of Mississippi.

A bill to be entitled,

An act to provide for the construction of a levee on the Mississippi river, for the protection and improvement of the State and school lands and for other purposes.

The Senate have passed the bill from the House of the following title, to wit:

A bill to be entitled,

An act to repeal an act to incorporate the town of Commerce, approved February 15, 1839; and,

An act entitled an act to amend an act, entitled an act to incorporate the town of Commerce, approved February 3d, 1840.

The President of the Senate did, on yesterday, sign the acts from the House of the following titles, to wit:

An act for the relief of John Moore.

An act for the relief of the representatives of Jonathan Hunt, deceased.

An act to incorporate Coffeerville Lodge No. 83 of Free and Accepted Masons, in the town of Coffeerville, Yalobusha county.

An act to annex, in the county of Adams, township number 8, of range 2 west, to township number 8 of 3 west, and for other purposes.

An act to authorise the Judge of the Probate Court of Marion county, to hold the terms of his court in the Probate Clerk's office of said county.

An act to incorporate the Louisville Division No. 11 of the Sons of Temperance.

An act to appropriate a portion of the Yazoo City hospital funds to educational purposes.

An act for the relief of the heirs of Cornelius O'Sullivan.

An act to amend an act entitled an act to incorporate the town of Rodney and for other purposes, approved February 10th, 1844.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to wit:

An act to incorporate the Hebrew Ketusha a benevolent society of the city of Natchez.

An act to incorporate Vicksburg Royal Arch Chapter No. 3.

An act to incorporate Camden Lodge No. 74 of Free and Accepted Masons, in the county of Madison.

An act to change the time of holding the Probate court in the county of Harrison.

An act to incorporate the German Benevolent Society of Natchez.

An act to incorporate the Scott Lodge No. 80 of Free and Accepted Masons.

An act to incorporate Covenant Lodge No. 20 of the Independent Order of Odd Fellows.

An act to incorporate Columbus Division No. 9 of the Sons of Temperance, in Columbus, Mississippi.

An act to authorise the Police Court of the county of Itawamba to levy a special tax.

An act to incorporate Yazoo Royal Arch Chapter No. 8 of Free and Accepted Mason, in the town of Yazoo City.

An act to incorporate the Columbus Artillery, in the City of Columbus, Mississippi;

And have found the same correctly enrolled.

The House proceeded to the consideration of its special order, to wit:

The Senate bill entitled, an act to appropriate money for the re

lief of the Mississippi volunteers now in Mexico;

Which, as amended in the House, was read the third time.

Considerable discussion arising, Mr. Whitmore yielded the floor to a motion for adjournment.

The House permitted Mr. Connell to call up the resolution offered on yesterday by Mr. Whitfield, rescinding the standing order of this House requiring it to hold but one session a day.

Which was adopted,

And the House took a recess until 3 o'clock, P. M.,

Mr. Whitmore being entitled to the floor.

THREE O'CLOCK, P. M.

The recess having expired, the House resumed its session.

Mr. Cushman offered the following amendment by way of ryder:

After the second whereas, insert, "And whereas, we believe the administration of the General Government has prosecuted the present war with Mexico in strict accordance with the constitution, and in a manner calculated to sustain, with honor, the flag of our country.

Mr. Weir offered the following amendment to the ryder, to wit:

Provided, That nothing therein contained shall be construed as a sanction of the whig members of the Mississippi Legislature of all that is contained in the preamble to this bill.

Mr. Cushman moved the rejection of the amendment.

Mr. Weir rising to speak to his amendment, Mr. Liddell called, for the previous question;

Which was decided in the negative, by yeas and nays as follows:

Those who voted to sustain the call are,

Messrs. Abbott, Alderson, Bardin, Bond, Brown, Brumfield, Byrn, Clayton, Collier, Connell, Dampier, Dilworth, Duke, Foote of Noxubee, Foote of Tippah, Fortson, Hancock, Hill, Holden, Huie, Liddell, Lynch, McLaurin, Melton Metcalf, Moore, Myers, Neely, Neill, Noble, Phillips, Ray, Sanders, Steele, Thomas of Marshall, Toulme, Trigg, Valentine, Wall, Whitfield, Whitmore, Wilds, Williams and Wilson—44.

Those who voted against sustaining the call are,

Mr. Speaker, Messrs. Arnold, Brooke, Campbell of Desoto, Carroll, Cleveland, Cox, Cushman, Ellis, Garrett, Gatlin, Godfrey, Hall, Hamer, Harrington, Hinds, Hogue, Johnston, Mason, McA-

fee, McInnis, McWilliams, Simrall, Slade, Steger, Stewart, Suratt, Thomas of Yazoo, Torrey, Walker, Weathersby, Weir, West of Holmes, and Yerger—34.

The call not being sustained, further action was suspended by rule of the House.

On motion of Mr. Dilworth,

The House adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, JANUARY 26, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Fra-
zee, of the city of Jackson.

The following communication from his excellency the Governor, was received through Mr. Jones, his private secretary:

Fellow-Citizens of the Senate

and House of Representatives:

My immediate predecessor having, in his late message, presented to the Legislature most of the subjects which will, likely, occupy your deliberations, I deem it unnecessary to reiterate them. I shall, therefore, confine myself, in this communication, to subjects not embraced in his message, and to one of great importance, upon which I am compelled, reluctantly, to dissent from the views by him expressed.

The character of the State is, I conceive, deeply involved in the question, whether the bonds of the State, issued for the purpose of taking stock in the Planter's Bank, shall be paid.

In view of the conflicting opinions existing among our citizens, as to the State's liability on those bonds, and the high character of many, for morality and intelligence, who have argued against that liability, I have long and anxiously reflected upon the subject. I have given it the most patient and candid investigation, of which I was capable, and the result has been the decided conviction, that the State is bound by every consideration of good faith, justice and honor, to pay those bonds.

The most plausible argument which I have heard, against the obligation of the State to pay these bonds, is founded on the facts, that in the charter of the Bank of Mississippi, there was a provision prohibiting the creation of any other bank during its chartered existence; and that in violation of this contract with the old bank, the Legislature chartered the Planter's Bank, thereby violating that clause of the constitution, which provides that "no law shall be passed impairing the obligation of contracts."—

Hence they contend that the charter of the Planters Bank was unconstitutional, and the bonds are, therefore, void.

It is obvious, that those who use this argument, consider it necessary to prove the unconstitutionality of the bonds, in order to destroy their validity, and binding obligation on the State. If it can be shown, that in this, the argument wholly fails, it is presumed they will admit that it avails them nothing. In the examination of this position, it may well be questioned, whether the Legislature had any power to insert a provision in the charter of the old State Bank, prohibiting the creation of any other Bank, during its existence. It is clear, to my mind, that the clause in question, was a palpable violation of that provision in the Bill of Rights, which declares, that "no man or set of men, are entitled to exclusive, separate public emoluments or privileges from the community, but in consideration of public services." The exclusion of all others, from a participation in the privileges granted to a certain class, by the act incorporating the Bank of Mississippi, was, certainly, granting to them *exclusive privileges*; and, therefore, the advocates of the above position, give to an unconstitutional and void enactment, the power to nullify, another and subsequent enactment, granting like privileges to another class of men.

But does it follow, even if we admit that the charter of the Planter's Bank was unconstitutional, that the bonds issued and sold to purchase stock in that bank, were therefore unconstitutional? Is an act granting privileges to a company to transact the business of banking, identical with an act to issue bonds and purchase stock in a bank? Certainly not. If the State had obtained a loan on her bonds, and then used the money in an unconstitutional manner, would the illegal use of the money at all affect the validity of the bonds, on which it was obtained, or cancel the obligation to pay them? Such a conclusion, it seems to me, would be anything else than logical.

It is also worthy of remark, that before the act supplementary to an act entitled "an act to establish a Planters Bank," approved 16th of December, 1830, was passed, authorising the Governor to issue the first five hundred thousand dollars of bonds, the old bank had compromised the difficulty with the Planter's Bank; thereby relinquishing the supposed contract with the State, and assenting to the incorporation of the latter bank. The existence of the Planter's Bank, and the issuance of the bonds, were, therefore, not in violation of any *existing* contract between the State and the old bank. The argument against the constitutionality of the bonds, founded on this contract, therefore, wholly fails.

In the old constitution no prohibition existed against the issuance of bonds of the State, but by a very clear implication, it was authorised. The 9th section of the 6th article of that instrument, declared, that no bank should be incorporated by the Legislature, without the reservation of the right to the State to subscribe for

one-fourth of its capital stock. The union of the State with individuals in the business of banking, being thus sanctioned by the constitution, and placed under legislative action and discretion, the power to raise the money, for the purpose of paying for her stock, by any means not prohibited by the constitution, must necessarily have followed, whether it be by the appropriation of funds already in the treasury, or by a loan for that purpose.

Having shown, as I think, that the bonds were not in violation of the old constitution, we need only refer to the 9th section of the 7th article of the new constitution to prove that they are not in violation of that instrument, but are expressly recognised, and authorised by it. But, even had the bonds been in violation of the old constitution, their recognition by the new, and the positive authority to issue the further sum, subsequent to its adoption, of one million and five hundred thousand dollars, in my judgment, put the question of the State's liability beyond dispute.

These bonds were sold at a premium, by which the State realized a profit of upwards of two hundred thousand dollars, and this sum constituted the basis of the Sinking fund. In the collection of this fund, which was set apart by the Legislature for the payment of the interest on the bonds, about \$95,000 in Auditor's warrants have been received by authority of law. For the last seventeen years our liability has been admitted by numerous acts of the Legislature. Our members of congress, with the approbation of their constituents, have frequently repelled with indignation, the insinuation, that Mississippi would repudiate these bonds; and in view of all these facts, a refusal now, on the part of the State to pay them, would, in my judgment, be, not only a violation of our plighted faith, but would consign the character of the State to infamy and indelible disgrace. No patriotic Mississippian, entertaining these views, can hesitate a moment in coming to the conclusion, that the bonds should, and must be paid, and the character of our noble State sustained.

If then, this debt is to be paid, I ask when shall it be done? Our indebtedness on this account is already upwards of three millions of dollars; and the interest every year is adding to this already vast sum, one hundred and twenty thousand dollars. If we delay the payment much longer, all the available resources of the State, without resort to taxation too onerous to be borne, will be insufficient to pay them. Under an exorbitant system of taxation, the value of property would decline, because of the burthens imposed on it, and thousands of our citizens would leave the State, and the proposition of paying by heavy taxation would thus defeat itself.

It is, therefore, manifest that if we ever intend to pay, the only wise policy which we can adopt is to begin immediately.

The next question is, how shall we pay this heavy liability? Can we do so by taxation, without imposing greater burthens on the people than they will consent to bear? The assessments for

1847 amount to about \$375,000, from which we may expect to collect of nett revenue about \$325,000. In a few years, however, we may expect to realize, at the present rates of taxation, about \$350,000 per annum. The average expenditures of the State, by a rigid economy, may not exceed \$175,000 per annum, leaving a surplus at the end of each year, of one hundred and seventy thousand dollars. If, from this estimated surplus, we deduct \$120,000 a year for the interest on the bonds, we shall have only \$55,000 to apply annually to the extinguishment of the principal debt. As upwards of three millions are now due, it will be perceived that if hereafter we meet the accruing interest as it falls due, at this rate of payment, it would take about fifty years to pay off the amount now due! Are we willing that this debt shall remain unextinguished for this long period? Yet this must be the case if we depend on taxation to pay it, unless we greatly increase the taxes; and as has been already suggested, an extreme high rate of taxation by reducing the value of property and diminishing our population, will defeat the end for which it is imposed. What then is to be done?

After long and anxious reflection, my mind has come to the conclusion that there is but one mode by which we can discharge the debt, without involving the consequences which I have supposed must attend high taxation; and so well satisfied am I of the efficiency of the plan, that notwithstanding some of those for whose opinions I entertain the highest respect, have ridiculed it, I with confidence submit it to your superior wisdom and judgment, and solicit for it your serious consideration.

I propose that we immediately bring into market the 500,000 acres of land granted by the General Government to the State; and that we shall receive in payment for the land gold, silver, Auditor's warrants and bonds of the State issued to take stock in the Planters Bank, and the coupons for interest on the same. I would grant pre-emptions to actual settlers on the land, at a minimum price fixed by law, the privilege of which should be extended for a given time prior to the lands being offered for sale.

From a personal knowledge of a portion of these lands, I recommend that the minimum for the first year shall not be less than eight or ten dollars per acre. Doubtless a large portion of the bonds are in the hands of capitalists, who have bought them at a great depreciation, and who could afford to dispose of them to purchasers of the land at rates by which he could make profitable investments, even at ten dollars per acre. Many tracts which I have seen, I consider cheap at that price.

If it be objected, that a high minimum would exclude the pre-emptor and men of moderate fortune from the purchase of the lands, because of the difficulty in procuring the bonds, I reply, that wherever the land office is located, there the bonds will naturally flow, and our citizens will have no difficulty in procuring them at

moderate prices, provided the minimum established be high. A large amount of the bonds is not yet due, and it is very probable that many, for the sake of realising cash upon them now, would sell them for moderate prices.

I would recommend the graduation policy to be adopted, and that each year the minimum be reduced one dollar per acre, with pre-emptions allowed for a given period, after the commencement of each year. Should the minimums be found too high, future legislation can reduce them. In this way, the 500,000 acres of land would probably extinguish the bonds, and in a few years we should be free from this alarming foreign debt.

The amount for which the lands would sell, would of course be placed to the debit of the State, and to the credit of the internal improvement fund, bearing interest or not, as the people might choose. If we pay the bonds by taxation, even should the taxes be raised as high as they could be, without decreasing the value of property or diminishing our population, the principal and interest now due, and the continually accruing interest would, before the debt would be extinguished, drain from the country from six to ten millions of dollars.

It would diminish the aggregate wealth of the State by that amount; but if we sell the lands and extinguish the debt by that means, none of the wealth now in the State will be withdrawn; no annual drain from the resources will be going on; we shall have the debt paid, and not a dollar in increased taxes will be drawn from the pockets of the people. It is true, that our internal improvement fund will be much larger than it would be, if cash exclusively, were demanded for the lands.

It may be said that this scheme only changes the debt without extinguishing it. This is admitted; but then there is this difference, we can pay interest or not as we please, without any forfeiture of obligations. Should we conclude not to touch the principal, but keep it as a perpetual fund, we can so regulate the rate of interest, to be paid annually, as not to exceed \$175,000 per annum, or a sum equal to our present estimated surplus; and then without increasing our present taxes one dollar, we would have the splendid sum of one hundred and seventy-five thousand dollars annually at our disposal, to improve our rivers, make rail roads, and all such other improvements as the people might require.—Instead of a drain from the State diminishing the proceeds of our industry annually, several hundred thousand dollars, every dollar expended, would return to the people, probably a hundred per cent in the increased facilities afforded to travelling, commerce, and the improvement in the value of their property. Instead of being rendered poorer, as a payment of these bonds by taxation would make us, our comforts, means of education, and of individual and general prosperity and happiness, would be increased.

It has been contended by some that the sale of the lands for

bonds would be a diversion of the fund from the object contemplated by Congress in making the grant. To this I reply, that the Sinking and Seminary Funds are trust funds, and for years we have been receiving debts of the State, in the form of Auditor's warrants for those funds. Does any person suppose that we have diverted the Seminary Fund from the object of Congress, by selling the Seminary lands for Auditor's warrants? None I presume. If not, then it would be no diversion of the internal improvement fund, to sell the 500,000 acres of land for the indebtedness of the State in the form of Planters Bank Bonds. Were we to sell the lands for cash alone, the State would stand debtor to the fund to the amount of the sale, and whenever she expended any thing for internal improvement, she would be credited with the amount on account of that fund. The same thing would result if we take the bonds for the land, and the only difference in the case would be, our internal improvement fund would most likely be larger under the latter scheme than under the former.

There has not been a case, it is confidently believed, in any civilized nation, where the reception of the liabilities of the government, as cash in the payment of any trust fund, has been considered a diversion of such fund from the purpose intended. The Republic of Mexico owes citizens of the United States several millions of dollars. Should Mexico tender to the United States her treasury notes, or any of our national stocks in payment, would it be thought a diversion of the funds from the purpose of paying our citizens, for the United States to receive them? But we have another case in our own State, directly in point. The United States, by the Chickasaw treaty, became trustee for the sale of the Chickasaw lands, and has never refused to receive treasury notes in payment, and charge them as cash received on account of the Chickasaw trust fund. Has the United States, therefore, diverted this trust fund from the purposes contemplated by the treaty? If so, she, as the donor of the 500,000 acres of land to Mississippi, has set us an example and established a precedent, which, if we follow, she is estopped from complaining by her own act. We are, therefore, without any danger of complaint from the United States, at liberty to "make a virtue of necessity;" and while at the same time that we pay off an overwhelming debt, which we can pay in no other way, we will be creating a magnificent fund for the improvement of our condition, in the development of the vast, and as yet, unproductive resources of our State, and advancing all the great interests of the people.

Should the Legislature agree with me in opinion upon this subject I would suggest that it might be proper to allow pre-emptors to pay for their homes, by instalments, the State reserving a lien on the land; and I would further suggest that if the proposed scheme be adopted, the Legislature might, probably, with safety at its present session, provide for devoting the anticipated surplus

arising from the revenues of the present year, or a portion of it to objects of internal improvement. I would however recommend great caution, and the most mature deliberation on the part of the Legislature, in commencing any system of internal improvement. Our appropriations should always be kept within our income, and no improvement projected, which, after the most mature deliberation, does not promise to be of essential advantage to the State.

In connection with this subject, the levying of the Mississippi river, I consider a matter of great importance, the increased value of the lands of the State, the improvement of the health of the people, the increased facility for making roads in the bottom, and affording intercommunication to the inhabitants, and transportation of the products of their industry, the emigration to, and settlement of this interesting part of the State, and consequent increase of its wealth and revenues, all recommend this enterprise to the serious attention of the Legislature.

To effect this object, I recommend that a tax be levied on the lands lying in the bottom, above the mouth of the Yazoo river, except school and United States lands, whether belonging to the State or individuals; the State paying her portion out of the internal improvement fund.

I would recommend the repeal of the forthcoming bond law, which has so long been a fruitful source of litigation, and the cause of the ruin of many of our best citizens, by involving them in debts without the least chance of profit. I hold that those who are to be benefitted by a contract should bear its risks, and not be permitted to involve others in ruin by taking advantage of their sympathies. I would also recommend, that in all cases of indictment or presentment by a grand jury, where no prosecutor appears, the District Attorney shall be required to enter his name as prosecutor; and that no indictment shall fail for want of a prosecutor. Under the present law, crime often escapes punishment through this defect.

I would also recommend, that the jurisdiction of our Chancery Courts, be confined strictly, to cases in which there is no remedy at law; and that matters of fact should be submitted to a jury. Under the existing laws, this court is likely to supersede, to a great extent, the trial by juries of the country, and place at the discretion of a judge, the decision of questions of law, of equity, and of fact, upon which depend the rights, to a considerable portion of the property of the State.

From information of a reliable character, the 2d regiment of Mississippi volunteers, are in a state of destitution, which imperatively calls for assistance; therefore, I shall heartily concur with the Legislature in furnishing them the relief required; and I have no doubt but that the amount so expended, will be refunded to the State by the Government of the United States. Fully concurring with the recommendations of my predecessor in his late message,

with the exceptions embraced in this communication, I hope they will receive your approval, and that measures to carry them into effect, may be by you adopted.

JOSEPH W. MATTHEWS.

EXECUTIVE CHAMBER, }
January 25th, 1848. }

Which being read;

On motion of Mr. Thomas of Marshall,

Was laid on the table; and,

On motion of Mr. Steger,

Five thousand copies were ordered to be printed.

On motion of Mr. Godfrey,

Leave of absence was granted to Mr. Foote of Noxubee, until Friday next.

Mr. Johnston presented the petition of sundry citizens of township 5, range 1 east, of Hinds county, remonstrating against the passage of a law authorising the transfer of the funds belonging to said township, to the trustees of the Jackson Male and Female Academies on certain conditions; which,

On his motion,

Was referred to the committee on education.

Messrs. Catchings, Weathersby, Cushman, Johnston, Simrall, and Cox, presented sundry claims;

Which were referred to the committee on claims.

Mr. Torrey presented the petition of sundry citizens of township 8, range 3 east, Jefferson county, praying the passage of a law to enable the trustees of said township to keep up one or more schools, and for other purposes; which,

On his motion,

Was referred to the committee on education.

Mr. Weathersby presented the petitions of sundry citizens of the counties of Lawrence, Franklin, Copiah, Pike and Amite, praying for the establishment of a new county; which,

On his motion,

Was referred to the committee on county boundaries.

Mr. Abbott presented the petition of the stockholders of the town of Barton, praying the Legislature to grant to Moore and Bennett a charter for a ferry across the Bigby, at the place known as the Colbertford, opposite Barton, subject to the penalties now prescribed by law; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed on said committee, Messrs. Abbott, McWilliams and Arnold.

Mr. Byrn presented the petition of sundry citizens of the county of Tunica, in relation to the establishment of a levee in said county, and a portion of the county of Desoto, on the Mississippi river; which,

On his motion,

Was referred to the committee on internal improvements.

A message was received from the Senate, by Mr. Tebo, their messenger.

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed a bill from the House of the following title, to wit:

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma, with an amendment;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed bills originating in the Senate of the following titles, to wit:

A bill to be entitled,

An act to authorise the Grand Gulf rail road and banking company to sell their rail way; which is amended by way of rider;

A bill to be entitled,

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

A bill to be entitled,

An act for the relief of Shields L. Hussey of Lauderdale county;

A bill to be entitled

An act for the relief of L. D. Perry;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to wit;

A bill to be entitled,

An act to authorise Henry L. Hampton to construct a mill dam;

A bill to be entitled,

An act to enable tax collectors more effectually to collect the revenues of this State;

A bill to be entitled,

An act to regulate the collection of debts arising from rents and leases;

A bill to be entitled,

An act to change the time of holding the probate courts in the the 7th judicial district;

A bill to be entitled,

An act to prevent frauds in conveyances and to protect innocent persons;

The Senate have adopted the following joint resolution:

Resolved, That a joint select committee, consisting of one member from the Senate, and ——— from the House of Representatives be raised, whose duty it shall be to visit Oakland college, in the county of Claiborne. They shall inquire into the condition of said college, and report to the two Houses whether in their opinion said college needs and deserves the patronage of this State, and have appointed on the part of the Senate, Mr. Gray;

In which I am instructed to desire the concurrence of the House.

I am further instructed to inform the House, that the Senate have concurred in the resolution from the House requiring and authorising the chairman of the joint standing committee on enrolled bills to make the following correction in a bill entitled an act to incorporate the Mississippi manufacturing company, passed the present session of the Legislature of said State, to wit: in the third line of the second section of said bill, to insert the words "twenty-five," instead of "five," so that the same will read twenty-five shares instead of five shares.

Mr. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act for the relief of the representatives of Jonathan Hunt, deceased;

An act for the benefit of John Moore;

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved Feb'y. 10, 1844;

An act for the relief of the heirs of Cornelius O'Sullivan;

An act to appropriate a portion of the Yazoo city hospital fund to educational purposes;

An act to incorporate the Louisville division, No. 11, of the Sons of Temperance;

An act to authorise the judge of the probate court of Marion county to hold the terms of his court in the probate clerk's office of said county;

An act to annex, in the county of Adams, township number 8, of range 2 west, to township number 8, of range 3 west, and for other purposes;

An act to incorporate Coffeeville Lodge, No. 83, of Free and accepted Masons, in the town of Coffeeville, Yalobusha county.

Mr. Wall, from the select committee, to whom was referred the petitions of John G. Robinson, late collector, and Henry Flowers, late assessor of taxes, in and for Amite county, reported the same back to the House with bills of the following titles, and recommend their passage, viz:

A bill to be entitled,

An act for the relief of Henry Flowers, late tax assessor of Amite county;

A bill to be entitled,

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

Which report was received and agreed to, and the bills read the first time;

On his motion,

The rule was suspended,

The bills read the second time, and made the special order of the day for committee of the whole on to morrow, at 11 o'clock.

Mr. Neill, from the select committee, to whom was referred the petition of sundry citizens of the county of Monroe, in reference to the change of the seat of justice in said county, together with a bill to be entitled, an act to remove the seat of justice of the county of Monroe from the town of Athens to the town of Aberdeen, reported the same back to the House without amendment, and recommended its passage; which was received and agreed to,

The bill read the third time forthwith,

And passed with its title as stated.

Mr. Brooke, from the select committee to whom was referred the petition of James W. Wade, late superintendent of the penitentiary, reported the same back to the House, with a bill to be en-

titled, an act for the relief of James W. Wade, late superintendent of the penitentiary, and recommended the passage of the same;

- Which was received and agreed to;

And the bill read the first time.

On his motion,

The rule was suspended,

And the bill read the second time.

Mr. Brooke moved that the House resolve itself into committee of the whole on said bill;

Which was lost.

On his motion,

The bill was made the special order of the day for 11 o'clock, to-morrow, in committee of the whole;

Mr. Brown by leave, offered resolutions relative to the 500,000 acres of land;

Which being read, were,

On motion of Mr. Hamer,

Laid on the table.

On motion of Mr. Brown,

Two hundred copies were ordered to be printed.

Mr. Brown moved that the resolutions be made the special order of the day, for eleven o'clock on Monday next;

Which was lost.

Mr. Walker, by leave, introduced a bill to be entitled,

An act to reduce the number and pay of the officers of the Legislature;

Which was read the first time.

Mr. Whitfield, by leave, introduced a bill to be entitled,

An act to incorporate the Columbus Female Institute, in the town of Columbus, in the county of Lowndes;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and laid on the table.

Mr. Hancock offered the following resolution:

Resolved, The Senate concurring, that the Auditor be, and he is hereby authorised and empowered to purchase fuel for the use of the Superior court of Chancery, and for the High court of Errors and Appeals.

On his motion,

The rule requiring joint resolutions to be laid one day on the table, was dispensed with,

And the resolution adopted.

Mr. Liddell gave notice, that he would, on some future day, move for the appointment of a committee to prepare and report a bill for the relief of James Bond of Choctaw county, as one of the securities of Richard S. Graves, formerly treasurer of this State.

The unfinished business was then taken up, to wit: The consideration of the Senate bill entitled, an act making appropriations for the Mississippi volunteers in now Mexico.

Mr. Whitfield called for the previous question;

Which was decided in the negative, by yeas and nays, as follows:

Those who voted to sustain the call, are:

Mr. Speaker, Messrs. Abbott, Arnold, Bond, Brown, Brumfield, Clayton, Collier, Connell, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Fortson, Garrett, Gatlin, Hall, Hamer, Hancock, Hill, Hogue, Holden, Houston, Huie, McAfee, McLaurin, M'Williams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Ray, Steele, Stuart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Wall, Walker, Weathersby, Whitfield, Wilds. Williams, Wilson—55

Those who voted against sustaining the call, are

Messrs. Alderson, Barden, Brooke, Campbell of Desoto, Campbell of Franklin, Catchings, Cleveland, Cox, Cushman, Ford, Force, Godfrey, Harrington, Johnston, Lynch, Mason, McInnis, Myers, Nailor, Sanders, Simrall, Slade, Steger, Thomas of Yazoo, Weir, West, of Holmes, White, Whitmore, and Yerger—29.

The call not being sustained, further action was suspended according to a rule of the House.

On motion of Mr. Wall,

The House bill entitled,

An act to amend an act entitled an act to reorganize the judicial districts of this state and for other purposes,

Was called from the orders of the day and read the third time.

Mr. Simrall offered the following amendment by way of a rider:

SEC. — *Be it further enacted*, That from and after the 1st day of March next, the Probate Court of Wilkinson county shall commence its session on the first Monday of each and every month;

Which was read the first time.

The rule being suspended,

The ryder was read the second and third time, and together with the bill, put upon its passage,

And passed with its title as stated.

Mr. Hancock offered the following resolution:

Resolved, That whereas, we deem it a useless expenditure of time and money to further discuss the propriety of furnishing the Mississippi volunteers with the small pittance they require; therefore,

Resolved, That the members of this House will each contribute the amount of ten per diems out of his allowance as a representative, to furnish the amount required to furnish, blankets, caps, &c.

Pending the question on the passage of said resolution,

On motion of Mr. Byrn,

The House took a recess until 3 o'clock.

THREE O'CLOCK, P. M.

The recess having expired, the House resumed its session.

The question recurred on the adoption of the resolution of Mr Hancock, which,

On motion of Mr. Liddell,

Was laid on the table.

Various messages from the Senate were then taken up.

On motion of Mr. Connell,

The Senate amendment to the joint resolution directing the Librarian to furnish the Auditor of Public Accounts with one copy of the Acts of the Legislature for each session from 1840 to 1846, inclusive, and one copy of Howard & Hutchinson's Digest,

Was concurred in.

On motion of Mr. Simrall,

The joint resolution of the Senate, appointing a select committee to enquire into the condition of the business on the dockets of the High Court of Errors and Appeals and of the Superior Court of Chancery,

Was concurred in, and the blank filled with the number five.

The Chair appointed as said committee, on the part of the House, Messrs. Simrall, Cushman, Hamer, Houston and Ford.

On motion of Mr. Walker,

The House receded from their disagreement to the amendment made by the Senate to the resolution of the House, appointing a joint select committee to reorganize the 6th and 7th judicial districts.

On motion of Mr. Catchings,

The House concurred in the amendment made by the Senate to the House bill, entitled

An act to incorporate the town of Delta in the county of Coahoma.

On motion of Mr. Dilworth,

The resolution from the Senate appointing a joint select committee, consisting of one member on the part of the Senate and ——— on the part of the House, to visit Oakland College, in the county of Claiborne, to examine and enquire into the condition of said college, and report to the two houses whether in their opinion said college needs and deserves the patronage of this State,

Was laid on the table for the balance of the session.

The Senate bill, entitled,

An act for the relief of L. D. Perry,

Was read the first time.

The Senate bill entitled,

An act to reduce the per diem allowance of the Probate Judge of Lauderdale county,

Was read the first time.

The senate bill entitled,

An act for the relief of Shields L. Hussey, of Lauderdale county,

Was read the first time.

On motion of Mr. Clayton,

The rule was suspended,

The bill read the second time,

And made the special order of the day for committee of the whole on Thursday the 27th instant at 12 o'clock.

The Senate bill entitled,

An act to authorise the Grand Gulf Rail Road and Banking Company to sell their railway, accompanied with a ryder,

Was read the first time.

On motion of Mr. West of Holmes,

The vote taken this morning in which the previous question was not sustained, was reconsidered,

And the vote was then taken, shall the main question be now put,

And decided in the affirmative.

Mr. Walker asked if the preamble and bill was susceptible of division.

The Speaker decided that, in the opinion of the Chair, it was divisible, but was subject to the action of the House.

On motion of Mr. Dilworth,

The question was divided,

And taken on the passage of the bill first,

And decided in the affirmative, unanimously.

The question was then taken on the passage of the preamble,

And decided in the affirmative, by yeas and nays, to wit:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Bynum, Campbell of Desoto, Campbell of Franklin, Carroll, Clayton, Cleveland, Collier, Connell, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Hinds, Hancock, Harrington, Hill, Hogue, Holden, Houston, Huie, Liddell, Lynch, McAfee, McInnis, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Toulmie, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, Wilds, Wooldridge and Wilson—68.

These who voted in the negative are,

Messrs. Brooke, Catchings, Cox, Foote of Noxubee, Ford, Johnston, Mason, McLaurin, Myers, Nailor, Saunders, Simrall, Slade, Weir, West of Holmes, West of Wayne, White, Williams and Yerger—19.

Mr. Suratt offered the following resolution:

Resolved, That no member of this House shall speak more than twenty minutes on any subject which may come up for discussion during the remainder of the session; which,

On motion of Mr. Neill,

Was rejected.

On motion of Mr. Stewart,

The House adjourned until 10 o'clock to-morrow morning.

THURSDAY, JANUARY 27, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Joshua T. Russell of Canton, Madison county.

A message was received from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate did on yesterday, sign the acts from the House of the following titles, to-wit:

An act to incorporate Vicksburg Royal Arch Chapter, No. 3;

An act to change the time of holding the probate court in the county of Harrison;

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and Accepted Masons, in the town of Yazoo City;

An act to incorporate the Hebrew Ketusha, a benevolent society in the city of Natchez;

An act to authorise the police court of the county of Itawamba to levy a special tax;

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

An act to incorporate the German Benevolent Society of Natchez;

An act to incorporate the Columbus Artillery in the city of Columbus, Mississippi;

An act to incorporate the Scott Lodge No. 80, of Free and Accepted Masons.

An act to incorporate Camden Lodge No. 74, of Free and Accepted Masons, in the county of Madison;

The Senate have passed the bills originating in the Senate of the following titles, to-wit:

A bill to be entitled,

An act to incorporate the Canton Male Academy, in the county of Madison;

A bill to be entitled,

An act to authorise Henry L. Hampton to erect a mill dam;

A bill to be entitled,

An act to amend an act entitled an act to amend the penitentiary code of this State, and for other purposes;

A bill to be entitled,

An act for the relief of W. W. Smith of Ponola county;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of a bill of the following title, to-wit:

A bill to be entitled,

An act to transcribe into suitable books the records of the court of probates of the county of De Soto.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled

An act to regulate the practice in civil and criminal cases in justices courts in this State,

Reported the same back to the House, and recommended that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Cushman from the same committee, to whom was referred a resolution of enquiry as to the constitutionality of levying by the Legislature, an ad valorem tax on all the slaves introduced into this State as merchandize,

Reported that the Congress of the United States alone has the power to regulate commerce among the several states of the Union, and from the wording of the resolution, are of opinion that the Legislature has not the power to tax slaves introduced as merchandize;

Which was received and agreed to.

Mr. Cushman from the same committee, to whom was recommended a bill to be entitled

An act entitled an act to amend the laws of this State in relation to dower, and the instructions to report a bill extending only to land companies where the wife's dower is required to be relinquished in real estate,

Reported that it would be bad policy and partial legislation to report any other than a general bill, and again reported the bill back to the House and recommended to the House its consideration, and asked to be discharged from its further consideration;

Which was received and agreed to.

A message was received from his Excellency the Governor, by Mr. Jones, his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance;

An act to appropriate a portion of the Yazoo City Hospital fund to educational purposes;

An act for the relief of the heirs of Cornelius O'Sullivan;

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved Feb. 10, 1844;

An act for the benefit of John Moore;

An act to incorporate Coffeeville Lodge No. 83, of Free and Accepted Masons, in the town of Coffeeville, Yalabusha county

An act to annex in the county of Adams, township No. 8, of range two west, to township No. 8, of range three west, and for other purposes;

An act to authorise the judge of the probate court of Marion county to hold the terms of his court in the probate clerk's office of said county;

An act for the relief of the representatives of Jonathan Hunt deceased, approved January 25, 1848;

An act to incorporate the Mississippi Manufacturing Company, approved January 26, 1848.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to repeal an act entitled an act to incorporate the town of Commerce, approved Feb. 15, 1839; and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approved Feb. 3, 1840;

An act to incorporate the town of Delta, in the county of Coahoma;

A joint resolution inviting Gen. Zachary Taylor and Gen. John A. Quitman to visit the capitol of Mississippi during the present session of the Legislature;

And have found the same correctly enrolled.

Mr. White from the joint standing committee on public buildings, to whom was referred so much of the governor's message as relates to the fire engine of the city of Jackson, the state armory, and the furnishing of the governor's mansion,

Reported a bill of the following title:

A bill to be entitled,

An act to purchase a fire engine for the State, and for other purposes;

Which being read;

Mr. White moved that the report be received and agreed to.

A division of the question being called for;

The question was first taken on receiving, and decided in the affirmative.

It was then taken on agreeing, and decided in the negative.

On motion of Mr. Liddell,

The report was laid on the table.

Mr. Catchings from the joint standing committee on education, reported that the committee were unable to arrive at any definite conclusion as to the propriety of recommending any measure in relation to the establishment of a system of common schools, and for the purpose of obtaining the necessary information from the House, instructed him to offer the following resolution, to-wit:

Resolved, the Senate concurring, that the committee on education be instructed to report a common school bill, levying a tax throughout the State, equal to twenty-five per cent on the State tax, for the support of common schools.

On motion of Mr. Catchings,

The rule requiring joint resolutions to lie one day on the table was dispensed with.

Mr. Foote of Tippah, offered the following amendment:

Amend by striking out 25 per cent, and inserting 300 per cent on the State tax.

On motion of Mr. Metcalf,

The amendment was rejected.

Mr. Campbell of De Soto offered the following amendment as a substitute in lieu of the resolution presented by Mr. Catchings, viz:

Whereas, religion, morality and knowledge being necessary to good government, the preservation of liberty and the happiness of

mankind, schools and the means of education, shall forever be encouraged in this State; therefore,

Resolved, the Senate concurring, that the committee on education be instructed to report a bill levying a tax of not less than 25 per cent on the State tax, for the purpose of aiding a system of common schools in this State;

Which was accepted.

Mr. Steele offered the following amendment:

Resolved, That 20 per cent of the State tax hereafter to be collected in this State, shall be appropriated to purposes of common school education, provided the present rate of taxation is not to be increased.

On motion of Mr. Catchings,

The amendment was rejected.

Mr. Hamer offered the following amendment:

Provided that the Chickasaw counties shall not be taxed.

On motion of Mr. West of Holmes,

The amendment was rejected.

Mr. Cypert offered the following amendment:

Resolved, That the committee on education be instructed to report to this House by bill or otherwise, for the purpose of requiring and authorizing the Governor of this State to draw upon the treasury of the United States for all monies belonging to the State of Mississippi, arising from the sale of public lands granted to the states severally under the provisions of the act of Congress, approved September 4, 1841, for the use of primary schools generally.

On motion of Mr. Catchings,

The amendment was laid on the table.

The question was then taken on the adoption of the preamble and resolution.

A division being called for, the question was taken on the resolution,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Brumfield, Byrn, Campbell of Franklin, Campbell of De Soto, Carroll, Catchings, Clayton, Cleveland, Cox, Cushman, Dampier, Davis, Ellis, Ford, Foree, Fortson, Gatlin, Hall, Holden, Houston,

Johnston, Lynch, Mason, McAfee, McLaurin, Metcalf, Myers, Nailor, Neely, Neill, Noble, Saunders, Simrall, Slade, Stewart, Suratt, Thames, Thomas of Yazoo, Torrey, Toulme, Valentine, Walker, Wall, Weathersby, Weir, West of Holmes, White, Wilds, Williams and Yerger—55

Those who voted in the negative, are,

Messrs. Abbott, Arnold, Bardin, Collier, Connell, Cypert, Dilworth, Duke, Echols, Garrett, Godfrey, Hamer, Harrington, Hill, Hinds, Hogue, Huie, Liddell, McWilliams, Melton, Moore, Phillips, Ray, Steele, Steger, Thomas of Marshall, Trigg, West of Wayne, Whitfield, Whitmore, and Wilson—31.

The question was then taken on the adoption of the preamble, And decided in the affirmative.

On motion of Mr. Simrall,

Mr. Wall was added to the joint standing committee on education.

Mr. Wilson by leave, called from the orders of the day a Senate bill entitled,

An act for the relief of W. W. Smith of Ponola county;
Which was read the first time.

On his motion,

The rule was suspended,
And the bill read the second time.

Mr. Wilson moved for a further suspension of the rule,
Which was lost.

On motion of Mr. Cushman,

The bill was made the special order of the day for a third reading on to-morrow at 12 o'clock.

The Senate bills to be entitled,

An act to provide for the purchase of 250 copies of Smedes' Digest—for the relief of James W. Evans and Geo. O. Wilson of Claiborne county—for the future management of the common school fund in the county of Tishomingo,

Were each severally read the first time.

The Senate bill entitled

An act for the relief of Margaret P. Baskerville;
Was read the first time.

On motion of Mr. Hamer,

The rule was suspended,

The bill read the second and third time forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act concerning the probate court of De Soto county,
Was read the first time.

On motion of Mr. Campbell of De Soto,
The rule was suspended,
The bill read a second and third time forthwith,
And passed with its title as stated.
The Senate bill to be entitled,
An act to change the time of holding the probate court in the
county of Smith,

Was read the first time; and,

On motion of Mr. Noble,
Was rejected.
The Senate bill to be entitled,
An act to amend an act to incorporate the Greensboro Academy,
and for other purposes,
Was read the first time.

On motion of Mr. Huie,
The rule was suspended,
And the bill read the second time.
The Senate bill entitled,
An act authorizing Benjamin F. and Jonathan Morris of Ponola
county to construct a rail road in said county,
Was read the first time.

Mr. Wilson moved that the rule be suspended,
And the bill be read a second time;
Which was lost.

The Senate bill to be entitled,
An act to provide for the purchase of two hundred copies of
Chilton's probate court law and practice,
Was read the first time.

Mr. Cushman asked for a suspension of the rule;
Which was refused.

The Senate bill to be entitled,
An act for the relief of Joseph D. Foster,
Was read the first time.

On motion of Mr. Simrall,

The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 Mr. Byrn by leave, introduced a bill to be entitled,
 An act to attach fractional township 2, of range 12 west to Tunica county;
 Which was read the first time.
 On motion of Mr. Byrn,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 On motion of Mr. Hinds,
 The House adjourned until to-morrow morning 10 o'clock.

FRIDAY, JANUARY 28, 1848.

The House met pursuant to adjournment;
 And its deliberations opened with prayer by the Rev. Mr. Frazer, of the City of Jackson.
 On motion of Mr. Brooke,
 Leave of absence was granted to Mr. Cox, for a few days.
 Mr. Cox presented the petition of sundry citizens of the county of Adams, praying that an act of incorporation be granted certain members and friends of the Independent Order of Odd Fellows in the city of Natchez to erect a hall in said city for the benefit of said order; which,
 On his motion,
 Was referred to a select committee of three.
 The chair appointed on said committee, Messrs. Nailor, Torrey and Ellis.
 Messrs. Houston, Melton, and Foree presented sundry claims;
 Which were referred to the committee on claims.
 Mr. Foree presented the petition of Thomas Kirkman, praying the Legislature to refund the amount of one hundred and sixty six dollars, being the amount of the double tax collected from the estate of James Jackson deceased, in the year 1844; which,
 On his motion,
 Was referred to the committee on propositions and grievances.

Mr. Catchings presented the petition of Henry P. Pope and John M. Davis, citizens of the county of Hinds, praying the Legislature to pass an act for the relief of Felix J. Funches, a minor;

Which petition was accompanied with a bill to be entitled,

An act to remove the civil disabilities of Felix J. Funches, a minor of Hinds county;

Which being read, was,

On his motion,

Referred to a select committee of three.

The Chair appointed on said committee Messrs. Catchings, Mason and Godfrey.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and Accepted Masons in the town of Yazoo City;

An act to incorporate the Columbus Artillery, in the city of Columbus, Mississippi;

An act to incorporate Camden Lodge No. 74, of free and accepted masons, in the county of Madison;

An act to incorporate the Scott Lodge No. 80, of free and accepted masons;

An act to incorporate the Hebrew Ketusha, a benevolent society, of the city of Natchez;

An act to authorise the police court of the county of Itawamba to levy a special tax;

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

An act to incorporate the German Benevolent Society, Natchez;

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Miss.;

An act to change the time of holding the probate court of the county of Harrison;

An act to incorporate Vicksburg Royal Arch Chapter No. 3;

An act for the relief of Joseph D. Foster.

Mr. Catchings presented the memorial of R. E. Stratton, a citizen of the county of Hinds, praying the Legislature to make valid title to certain lands therein mentioned; which,

On his motion,
Was referred to the judiciary committee.

Mr. Huie from the committee on propositions and grievances,
to whom was referred the petition of Emily Thompson,
Reported a bill to be entitled,
An act for the relief of Emily Thompson;
Which was received and agreed to,
And the bill read the first time.

On motion of Mr. Huie,
The rule was suspended,
The bill read a second and third time forthwith,
And passed with its title as stated.

Mr. Johnston from the standing committee on elections, reported
ed that said committee had examined the certificate of Jehu Wall,
and found that he was duly and constitutionally elected a member
of the House of Representatives from the county of Amite, for the
term prescribed by the constitution.

Mr. Connell from the joint standing committee on claims, to
whom was referred the claim of Levi McCrosky, reported the
same back to the House with the recommendation that it be not
allowed, and asked to be discharged from its further consideration;
Which was received and agreed to.

Mr. Connell from the same committee, to whom was referred
the claim of Robert M. Cade, reported the same back to the House,
with the recommendation that it be not allowed, and asked to be
discharged from its further consideration;

Which was received and agreed to.

A message was received from the Senate by Mr. Tebo their
messenger:

MR. SPEAKER—I am instructed to inform the House of Repre-
sentatives that the Senate have passed the Senate bills of the fol-
lowing titles, to-wit:

A bill to be entitled,

An act for the relief of James S. Pritchard, John B. Moore, and
Nathan B. Whitehead;

A bill to be entitled

An act to transcribe into suitable books, the records of the court
of probates of the county of Desoto;

A bill to be entitled,

An act to regulate the proceedings in the justices courts in certain cases;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate granted leave to the introduction of a bill of the following title, to wit:

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Shieldsborough, and for other purposes.

The Senate have passed the bill from the House of the following title, to-wit:

A bill to be entitled,

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen.

The Senate have adopted the following joint resolution, to wit:

Resolved, The House concurring, that the State Printers be authorised to pre-pay the postage on public documents sent off through the post-office at Jackson, during the present session of the Legislature by the members thereof, and to render an account of the same, with the receipt of the post-master in their bill for printing;

In which I am instructed to desire the concurrence of the House of Representatives.

I am further instructed to inform the House, that the Senate have concurred in the resolution from the House, authorising and empowering the Auditor of Public Accounts to purchase fuel for the use of the Superior Court of Chancery, and the High Court of Errors and Appeals.

Mr. Wilds, from the committee on county boundaries, to whom was referred the petitions of sundry citizens of the county of Yalobusha and Chicasaw, praying the creation of a new county, reported a bill to be entitled,

An act to establish a new county in this State, to be called the county of Qultman.

Mr. Wilds moved that the report be received and agreed to.

Mr. Huie called for a division of the question;

Which being divided, was first taken on receiving, and decided in the affirmative.

On motion of Mr. Steele,

The report was re-committed to a select committee of one mem-

ber from each of the counties adjoining the proposed new county.

The Chair appointed on said committee, Messrs. Steele, Weir Huie, Cushman, and Melton.

The following message from his excellency the Governor, by Mr. Jones, his private Secretary:

MR. SPEAKER—I am instructed by his excellency, the Governor, to inform the House that he has approved and signed the following bills, wit:

An act to incorporate Columbus Division, No. 9, of the Sons of Temperance, Columbus, Mississippi;

An act to incorporate the Columbus Artillery, in the city of Columbus, Mississippi;

An act to incorporate Cambden Lodge, No. 74, of Free and Accepted Masons, in the county of Madison;

An act to authorise the police court of the county of Itawamba to levy a special a tax;

An act to incorporate the Hebrew Ketusha, a benevolent society of the city of Natchez;

An act to change the time of holding the probate court in the county of Harrison;

An act to incorporate the German Benevolent Society of Natchez;

An act to incorporate Covenant Lodge, No. 20 of the Independent Order of Odd Fellows.

An act to incorporate Vicksburg Royal Arch Chapter, No. 3;

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and accepted Masons, in the town of Yazoo city;

An act to incorporate the Scott Lodge, No. 80, of Free and accepted Masons, approved January 27, 1848.

Mr. Connell, from the joint select committee, to whom was referred that portion of the Governor's message so far as it relates to the printing an additional number of the acts of the Legislature and the journals of the two Houses, reported the following resolution, and recommended its adoption:

Resolved by the Legislature of the State of Mississippi, That there shall be hereafter printed one thousand copies of the journals of each house of the Legislature, and three thousand copies of the acts of each session thereof, to be delivered to the Secretary of State to be distributed as the law directs;

Which report was received and agreed to, and the resolution read the first time.

On motion of Mr. Connell,

The rule was suspended,

And the resolution read the second time.

Mr. Whitfield offered the following amendment to the resolution:

Provided, That for the extra copies of the journals above the number now authorised by law to be printed, 62 cents per page only shall be paid, and for the extra acts, 94 cents per page.

Mr. Campbell of Desoto, moved that the resolution with the amendment be laid on the table;

Which was lost;

The amendment offered by Mr. Whitfield was then adopted.

On motion of Mr. Whitfield,

The resolution, as amended, was recommitted to the same committee.

Mr. Ray, from the select committee, to whom was referred the petition of sundry citizens of Oakland, Yalobusha county, reported a bill to be entitled,

An act to incorporate the town of Oakland, in Yalabusha county;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Ray,

The rule was suspended,

And the bill read the second time.

On motion of Mr. Weir,

The bill was recommitted to the same committee.

On motion of Mr. Liddell,

Mr. Weir was added to said committee.

Mr. Abbott, from the select committee, to whom was referred the petition of Bennett and others, reported a bill to be entitled,

An act granting a charter for a ferry at Barton;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Abbott,

The rule was suspended,

The bill read a second time, and ordered to be engrossed for a third reading on to morrow.

Mr. West of Holmes, from the select committee, to whom was referred a memorial of the Legislature, to the Congress of the United States now in session, praying the cession of certain pub-

lic lands, for the improvement of the navigation of Big Black river, reported the same back to the House, without amendment, and recommended its passage;

Which was received and agreed to.

On motion of Mr. West,

The rule was suspended,

The memorial read the second time, and ordered to be engrossed for a third reading to morrow.

Mr. Johnston gave notice, that he would, on to morrow, ask leave to introduce a bill to incorporate the Grand Royal Arch Chapter of the State of Mississippi.

Mr. Hinds offered the following resolution:

Resolved, That the committee on ways and means, be instructed to inquire into the expediency of passing a law prohibiting sheriffs and other collectors and holders of public money in this State, from being eligible to said offices, for a longer term than four years in six, in succession, and report by bill or otherwise;

Which was lost.

Mr. Godfrey offered the following resolution:

Resolved, That the committee on ways and means be, and is hereby instructed to inquire what amount of additional taxation to the present rates, is necessary to raise means for the payment of the bonds of the Planter's Bank of Mississippi, and the coupons of interest of said bonds; and that said committee report a bill to provide for the payment of said bonds and coupons; which,

On motion of Mr. Catching,

Was laid on the table.

Mr. Neely, by leave, introduced a bill to be entitled,

An act to amend the constitution of this State;

Which was read the first time.

On motion of Mr. Neely,

The rule was suspended,

The bill read a second time, and referred to a select committee of three.

The Chair appointed as said committee, Messrs, Neely, Wall, and Dilworth.

A message was received from the Senate by Mr. Tebo, their messenger:

Mr. SPEAKER—I am instructed to inform the House of Repre-

representatives that the Senate have passed the bill together with the rider from the House, of the following title, to wit:

A bill to be entitled,

An act to amend an act entitled an act to reorganize the judicial districts of this State and for other purposes.

The House then proceeded to the consideration of the Senate messages.

The Senate bill to be entitled,

An act to provide for the furnishing to the library of Harvard College, Cambridge, one copy of all the laws, journals and reports of the State of Mississippi,

Was read the first time; and,

On motion of Mr. Neely, rejected.

The Senate bill entitled,

An act for the relief of Archibald Milloy, of Covington county,

Was read the first time.

On motion of Mr. McLaurin,

The rule was suspended,

And the bill read the second time.

On the further motion of Mr. McLaurin,

The House resolved itself forthwith in committee of the whole on said bill; Mr. Liddell in the chair.

After some time spent therein, the committee rose and reported the bill without amendment;

Which report was received.

Mr. Whitfield offered the following amendment to the report, to wit:

Strike out in 26th line 1st section, the word "imprisoned," and insert the word "conviction,"

Which was adopted,

And the report agreed to as amended.

On motion of Mr. Whitfield,

The rule was suspended,

The bill as amended, read the third time,

And passed with its title as stated.

The Senate bill entitled,

An act providing for the transmission and return by mail of process in certain cases,

Was read the first time.

The Senate bill entitled,
 An act to relinquish to the United States, jurisdiction over a lot
 of ground as a site for the erection of Biloxi Light House,
 Was read the first time.

On motion of Mr. Wall,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act to change the time of holding the Probate Courts in the
 counties of Clarke and Jasper,
 Was read the first time.

On motion of Mr. Ellis,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act to change and reduce the corporate limits of the town
 of Grand Gulf, in the county of Claiborne, as prescribed in an act
 entitled an act to incorporate the town of Grand Gulf, approved
 the 25th day of December 1833,

Was read the first time.
 The Senate bill entitled,
 An act to authorise a change of venue in certain cases,
 Was read the first time.
 The Senate bill entitled,
 An act to increase the compensation of the district attorneys of
 the State,
 Was read the first time.

On motion of Mr. Whitmore,
 The rule was suspended,
 The bill read a second time,
 And referred to the select committee heretofore appointed on
 that part of the Governor's message relating to that subject.

Mr. Whitfield offered the following resolution:

Resolved, with the concurrence of the Senate, That the joint
 standing committee on claims be and they are hereby instructed
 to inquire into the propriety and expediency of reporting a bill for
 the action of the legislature, rejecting any claim against the State,

after such claim has been twice examined and rejected by either branch of the legislature or by a committee thereof;

Which, by rule, lies one day on the table.

On motion of Mr. Whitfield,

Leave of absence was granted to Mr. Valentine.

Mr. Liddell, pursuant to notice, introduced the following resolution:

Resolved, That a select committee of three be appointed to prepare and report a bill for the relief of James Bond of Choctaw county, one of the securities of R. S. Graves, late Treasurer of the State.

On motion of Mr. Metcalf,

The resolution was rejected.

Mr. Wall, by leave, introduced the following resolution:

Resolved, with the concurrence of the Senate, That the Executive of this State apply for and receive the money coming to the State of Mississippi: nett proceeds of the sales of public lands, under the act of Congress, approved 4th September, 1841, to be applied when received, to common school purposes;

Which, by rule, lies one day on the table.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have presented to his Excellency, the Governor, for his approval and signature, a bill of the following title, to wit:

An act for the relief of Joseph D. Foster.

Mr. Houston, pursuant to notice, moved for a reconsideration of the vote taken on agreeing to the report of the judiciary committee, to whom was referred a bill in relation to the rights of married women &c.;

Which was sustained.

On motion of Mr. Ford,

The report and bill was recommitted to the same committee.

On motion of Mr. Catchings,

The House adjourned until to-morrow morning 10 o'clock.

SATURDAY, JANUARY 29, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Fra-
zee, of the city of Jackson.

On motion of Mr. Stewart,

Leave of absence was granted Mr. Brumfield for a few days.

On motion of Mr. Lynch,

Leave of absence was granted Mr. Holden for a few days.

Mr. Hinds, from the standing committee of revisal and unfinished business, reported that there is no business in the opinion of said committee, proper to be brought before the House of Representatives as unfinished business;

Which was received and agreed to.

Mr. Huie, from the committee on propositions and grievances, to whom was referred that portion of the Governor's message which relates to the claim of the State of Mississippi on the United States government for the reimbursement of the sum of six thousand one hundred and twenty-five dollars, expended by the State of Mississippi in the year 1836, in calling out volunteers according to the requisition of Major General Edmund P. Gaines, U. S. A., reported a memorial and resolution of the legislature of the State of Mississippi to the Congress of the United States, praying Congress to refund certain moneys therein named;

Which was received and agreed to,

And the memorial read the first time.

On motion of Mr. Huie,

The rule was suspended,

The memorial read the second and third time forthwith, and adopted.

Mr. Huie, from the same committee, to whom was referred the petition of Thomas Kirkman, executor of the last will and testament of James Jackson, deceased, reported a bill to be entitled,

An act for the relief of Thomas Kirkman, executor of the estate of James Jackson;

Which was received and agreed to,

And the bill read the first time.

Mr. Huie moved that the rule be dispensed with,

Which was lost.

Mr. Cushman, from the judiciary committee, to whom was re-

ferred a bill to be entitled an act to make justices courts, courts of record, reported the same back to the House, and recommended that it do not pass; and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Nailor, from the joint committee raised on that portion of the Governor's message which relates to an insane and lunatic asylum, reported that said committee had reported by bill to the Senate;

Which was received and agreed to.

Mr. Catchings, from the select committee, to whom was referred the petition of Henry P. Pope and John M. Davis, praying the passage of an act for the relief of Felix J. Funchess, reported the same back to the House with a bill to be entitled,

An act to remove the civil disabilities of Felix J. Funchess, minor, of Hinds county, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Catchings,

The rule was suspended,

The bill read the second time,

And ordered to be engrossed for a third reading to-morrow.

Mr. Wooldridge, from the joint select sub-committee on the part of the House, to invite Gens. Taylor and Quitman to visit the capital during the present session of the legislature, made the following report:

MR. SPEAKER—The joint select sub committee, appointed to wait on Generals Z. Taylor and John A. Quitman, and to deliver them copies of the resolutions of the Legislature of this State, inviting each of these distinguished gentlemen to visit the city of Jackson during the present session of the Legislature, to partake of the hospitality of this State, have waited upon Gen. Taylor in person, at his residence in Louisiana, and delivered to him a copy of said resolutions, to which he replied in writing, which is herewith submitted. The committee would further state, they were unable to meet Gen. Quitman, owing to his absence from this State and his home. The committee would further state, that their reception from Gen. Taylor, was most hospitable and cordial, and highly gratifying to the committee. The committee expresses their

regret at not being able to meet with Gen. Quitman, but have discharged this duty as far as circumstances would admit. They could only, under the circumstances, send the said resolutions to the family of General Quitman, by one of their number, Mr. Stanton, (who has not yet returned,) by whom the committee addressed him a note, to know at what time it would suit his convenience to visit the city of Jackson, as the guest of the State.

BATON ROUGE Louisiana, Jan. 24th, 1848.

GENTLEMEN—I had the honor to receive by your hands a copy of the preamble and resolutions recently passed by both houses of the Legislature of Mississippi, in which I am invited in the most flattering terms, to visit your capital as a guest of your State, during the present session of your assembly. I should do violence to my own feelings, were I to omit this opportunity of acknowledging through your distinguished body, to my fellow-citizens of Mississippi, my heart-felt gratitude, not only for the eminent services which they rendered me at an important crisis of my late service in Mexico, but for the bountiful hospitality, and for the many acts of kindness which it has been my good fortune to receive at their hands; and I beg, therefore, that you will convey to your honorable body, an expression on my behalf, of my high sense of these obligations, and to offer them my grateful acknowledgements, for the great honor which they have been pleased, in so distinguished a manner, to confer upon me by the resolutions before me. I deeply regret, however, to inform you that I deem it to be improper, under the circumstances of my present leave of absence from duty, to absent myself from this place and its vicinity, and that I am therefore, constrained, with great reluctance, to decline the kind and hospitable invitation of your Legislature.

With my best wishes for your success, and with sentiments of the highest respect, I remain, gentlemen, ,

Your obliged and obdient servant,

Z TAYLOR.

Messrs. Boone,	Henry,
Guion,	Stanton,
Stewart,	Simrall and
Wooldridge,	Cnshman,

Committee.

On motion of Mr. Wooldridge, .

The report was received and agreed to.

Mr. Bond, from the select committee, to whom was referred the petition of Helena Wetzel praying certain wharf privileges, reported the same back to the House, with a bill to be entitled an act to authorise the Board of Police of the counties of Jackson, Harrison and Hancock to grant licenses to individuals to erect and establish wharves in said counties and for other purposes; and recommend its passage;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Bond,

The rule was suspended,

The bill read a second and third time, forthwith,

And passed with its title as stated.

A message was received from the Senate, by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills originating in the Senate of the following titles, to-wit:

A bill to be entitled,

An act to provide for the election of collector of taxes for the county of Amite and for other purposes.

A bill to be entitled,

An act to incorporate Jackson Division No. 34 of the Sons of Temperance, in Jackson, Hinds county;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of a bill of the following title, to wit:

A bill to be entitled,

An act to incorporate Pontotoc Lodge No. 81 of Free and Accepted Masons.

I am further instructed to inform the House that the Senate have concurred in the following preamble and resolution from the House:

Whereas, religion, morality and knowledge being necessary to good government, the preservation of liberty and the happiness of mankind, schools and the means of education shall forever be encouraged in this State; therefore,

Resolved, the Senate concurring, the committee on education be instructed to report a bill levying a tax of not less than twenty-five per cent. on the State tax for the purpose of aiding a system of common schools in this State.

Mr. Nailor, from the select committee to whom was referred the petition of sundry citizens of Natchez, reported the same back to the House, with a bill to be entitled an act to incorporate the board of Trustees of the Odd Fellows Hall, Natchez, and recommended its passage;

Which was received and agreed to,
And the bill read the first time.

On motion of Mr. Nailor,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Moore, from the select committee to whom was referred the memorial of sundry citizens of Noxubee county, praying the passage of an act to punish debtors for smuggling or running their property beyond the limits of this State with a view to defraud creditors, reported the same back to the House with a bill to be entitled,

An act to punish debtors for running their property beyond the limits of this State with a view to defraud creditors;

Which was received and agreed to,
And the bill read the first time.

On motion of Mr. Moore,
The rule was suspended,
And the bill read a second time,
And laid on the table; and,

On motion of Mr. Brooke,
Two hundred copies were ordered to be printed.

Mr. Simrall, by leave, introduced a bill to be entitled,

An act to amend an act to organize and establish Circuit Courts and to define their powers and jurisdiction in law and equity, approved 2d March, 1833;

Which was read the first time.

On motion of Mr. Simrall,
The bill was read the second time,
And referred to the judiciary committee.

Mr. Foote, of Noxubee, introduced a bill, to be entitled,

An act to enable married women whose husbands have been convicted of infamous offences, to obtain divorce from the bonds of matrimony;

Which was read the first time.

On motion of Mr. Foote of Noxubee,

The rule was suspended,

The bill was read the second time and referred to the judiciary committee.

Mr. Godfrey, by leave, introduced a bill to incorporate Louisville Lodge No. 75 of Free and Accepted Masons in the town of Louisville;

Which was read the first time.

On motion of Mr. Godfrey,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Johnston, pursuant to previous notice, introduced a bill to be entitled,

An act to incorporate the Grand Royal Arch Chapter of Mississippi;

Which was read the first time.

On motion of Mr. Johnston,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Johnston by leave, introduced a bill to be entitled,

An act to incorporate Euphania Chapter of Royal Arch Masons in the town of Aberdeen, in the county of Monroe;

Which was read the first time.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

An act to remove the seat of justice of the county of Monroe, from the town of Athens and permanently locate it in the town of Aberdeen;

An act to amend an act entitled an act to reorganize the judicial districts of this State and for other purposes;

An act for the relief of Margaret P. Baskerville;

An act concerning the probate court of De Soto county;

And have found the same correctly enrolled.

Mr. Hall by leave, introduced a bill to be entitled,

An act to authorize the circuit court of Leake county to sell certain judgments rendered therein for the costs of suit;

Which was read the first time.

On motion of Mr. Hall,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Campbell of De Soto,

The bill to be entitled,

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance and other societies and companies,

Was called from the orders of the day,

And read the third time,

And passed with its title as stated.

On motion of Mr. Henry,

The bill to be entitled,

An act to amend an act to incorporate the Jackson and Canton Rail Road Company, approved Feb. 1, 1841,

Was called from the orders of the day,

Read the third time,

And passed with its title as stated.

Mr. Brooke by leave, introduced a bill to be entitled,

An act requiring members of the board of police to act as overseers of the poor;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. West of Holmes, by leave, introduced a bill to be entitled

An act to repeal all laws or parts of laws now in force permitting or authorizing the redemption of real estate sold under execution, decrees in chancery or deeds of trust;

Which was read the first time.

Mr. Hinds by leave, introduced a bill to be entitled,

An act to define the line between the 46th and 59th regiments of Mississippi militia, in Itawamba county;

Which was read the first time.

On motion of Mr. Hinds,

The rule was suspended,

The bill read the second time and ordered to be engrossed, and made the special order of the day for 12 o'clock on Monday next.

Mr. Collier by leave, introduced a bill to be entitled,

An act to amend the law in relation to attachments;

Which was read the first time.

On motion of Mr. Collier,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

A message from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate has signed the acts from the House of the following titles, to-wit:

An act to incorporate the town of Delta in Coahoma county;

An act to repeal an act entitled an act to incorporate the town of Commerce, approved Feb. 15, 1839; and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approved Feb. 3, 1840.

The President of the Senate has signed the joint resolutions, originating in the Senate, inviting Gen. Zachary Taylor and Gen. John A. Quitman to visit the capitol of Mississippi during the present session of the Legislature.

The Senate have concurred in the amendments of the House to the bill originating in the Senate of the following title, to-wit:

A bill to be entitled,

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico.

Mr. Godfrey by leave, introduced a bill to be entitled

An act to amend an act concerning divorces, passed June 14, 1842;

Which was read the first time.

On motion of Mr. Godfrey;

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. Foote of Noxubee, asked and obtained leave to enter the following protest:

In voting for the preamble and bill entitled an act to appropriate money to the Mississippi Volunteers now in Mexico, I ask the privilege of entering a protest against that clause in the preamble which declares that the war exists by the act of Mexico. It is my sincere conviction that the immediate cause of war was the march of Gen. Taylor upon the disputed territory, and encamping the American army opposite Matamoras.

Mr. Campbell of De Soto, offered the following resolution:

Resolved, That a call of the counties alphabetically be continued from day to day until all the counties shall have been called, and that said call shall be made alternately, by commencing with the letter A, calling down the list, and then with the lowest letter on the list, calling up the roll for the purpose of giving the members from each county an opportunity of offering bills, resolutions.

Mr. Brooke offered the following amendment:

Amend by adding that the counties shall be called alphabetically for the purpose of allowing members to speak upon any important subject that may come before the House.

On motion of Mr. Liddell,

The amendment was rejected,

And the resolution of Mr. Campbell of De Soto was adopted.

On motion of Mr. Whitfield,

A bill to be entitled

An act for the relief of Wm. D. Wilkinson of the state of New York was called from the orders of the day,

And read the third time,

And passed with its title as stated.

The House then proceeded to the consideration of the Senate messages.

The Senate bills entitled,

An act to authorize Henry S. Caulkings, his heirs and assigns to establish and keep a ferry across the Mississippi river at Rodney—to incorporate Brandon Division No. 7, of the Sons of Temperance in the town of Brandon, Rankin county,

Were read the first time.

The rule being suspended,

The bills were each read severally the second and third time forthwith,

And passed with their titles as stated.

The Senate bill entitled,

An act to repeal the 1st, 2d, and 3d sections of an act to regulate the practice of the circuit courts, approved Feb. 22, 1840, and to amend the law in relation to forthcoming bonds,

Was read the first time.

The rule being suspended,

The bill was read the second time.

Mr. Yerger offered an amendment by striking out all after the enacting clause, and inserting a new bill.

On motion of Mr. Yerger,

The bill and amendment were made the special order of the day for committee of the whole on Tuesday next at 11 o'clock.

The Senate bill entitled,

An act to change the time of holding the court of probates for Tippah and Tishemingo counties,

Was read the first and second time and laid on the table.

The Senate bill entitled,

An act to amend an act reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as relates to the counties of Wilkinson and Franklin,

Was read the first time.

On motion of Mr. Simrall,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill with its ryder entitled,

An act to attach portions of Issaquena and Washington counties to Yazoo county,

Was read the first time.

The Senate bill entitled,

An act to divide the 51st regiment of the Mississippi militia of De Soto county,

Was read the first time.

On motion of Mr. Campbell of De Soto,

The rule was suspended,

The bill read the second and third time forthwith.

And passed with its title as stated.

The Senate bill entitled,

An act to change the time of holding the court of probates of Issaquena county,

Was read the first time.

On motion of Mr. Yerger,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to amend an act to incorporate the Grenada bridge and turnpike company,

Was read the first time.

On motion of Mr. Weir,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to provide for the support of the poor in the city of Jackson,

Was read the first time.

Mr. White asked for a suspension of the rule;

Which was refused.

The Senate bill entitled,

An act to incorporate the Canton male academy in the county of Madison,

Was read the first time.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to authorise Henry L. Hampton to erect a mill dam,

Was read the first time.

On motion of Mr. Harrington,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate resolution authorizing the State printer to pre-pay the postage on public documents sent off through the post office at Jackson during the present session of the Legislature by the mem-

bers thereof, and to render an account of the same with the receipt of the post master in their bill for printing,

Was read the first time.

On motion of Mr. Hinds,

The rule was suspended,

And the resolution read the second time.

On motion of Mr. Dilworth,

The House resolved itself forthwith into committee of the whole on the resolution, Mr. Stewart in the chair.

After some time spent therein,

The committee rose, reported the resolution back to the House without amendment and recommended its passage;

Which was received and agreed to,

And the resolution concurred in.

The Senate bill entitled,

An act to amend an act entitled an act to amend the penitentiary code of this State and for other purposes,

Was read the first time.

The Senate bill entitled,

An act to transcribe into suitable books the records of the court of probates of the county of De Soto,

Was read the first time.

On motion of Mr. Whitfield,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to regulate the proceedings in justices courts in certain cases,

Was read the first time.

The Senate bill entitled,

An act for the relief of James S. Prichard, John B. Moore and Nathan B. Whitehead,

Was read the first time.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second time;

And the House resolved itself forthwith into committee of the whole, Mr. Connell in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House without amendment, and asked to be discharged from its further consideration;

Which was received and agreed to.

On motion of Mr. Walker,

The bill was referred to the committee on claims.

The Senate bill entitled,

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes,

Was read the first time.

On motion of Mr. Wall,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to incorporate Jackson Division No. 34, of the Sons of Temperance,

Was read the first time.

On motion of Mr. Brooke,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Henry,

Resolved, That the clerk of this house be authorised to have a platform raised in front of the clerk's desk for the reading clerk of this house for the convenience of all the members.

On motion of Mr. Abbott,

Resolved, That Gen. S. A. D. Greaves, late an officer of the 1st Mississippi Rifles, and formerly a member of this house, be invited to a seat within the bar of the House, and that the clerk inform him of the adoption of this resolution.

On motion of Mr. Simrall,

The House adjourned until Monday morning 10 o'clock.

MONDAY, JANUARY, 31, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Rogers, late missionary from Hindostan, India.

Mr. Neill presented the petition of James Wellons, judge of the probate court for Carroll county, praying the Legislature to grant him leave of absence from the State during the summer of each year, say, from 10th July to 1st September, of the years 1848 and 1849; which petition was accompanied with a resolution granting leave of absence to the petitioner;

Which was read the first time.

On motion of Mr. Neill,

The rule was suspended,

The resolution read the second and third time forthwith, and adopted.

Mr. Hill presented the petition of John C. Wade, sheriff of the county of Copiah, praying compensation of costs in certain State cases, where the State failed in the prosecution; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Campbell of DeSoto, presented the petition of sundry citizens of the State of Mississippi in relation to printing the laws of this State; which,

On his motion,

Was referred to the committee raised on printing additional copies of the laws of this State.

On motion of Mr. Connell,

Mr. Campbell was added to said committee.

On motion of Mr. West of Holmes,

Mr. Brooke was added to said committee.

Mr. Carroll presented the petition of L. B. Bains and Daniel Cameron, members of the board of police of Lauderdale county, praying the passage of a law making it the special duty of each member of the board of police to act as supervisors over the road within their respective police beats; which;

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Carroll, Thames, and Myers.

Messrs. Brown, Arnold, Simrall, and Ray, presented sundry claims;

Which were referred to the committee on claims.

Mr. Whitfield presented the memorial of John Perkins, a citizen of the parish of Madison, State of Louisiana, praying the passage of a law exempting him from the penalties of the law requiring the presence of at least one white person for every collection of slaves exceeding six in number; and that he be allowed to increase the number of his slaves to ten, at the tract of land known as the "Oaks," in the county of Lowndes, State of Mississippi; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Wilds presented the petition of sundry citizens of the county of Tallahatchie, praying that a portion of said county be attached to Sunflower county; which,

On his motion,

Was referred to the committee on county boundaries.

Mr. Ray presented the petition of William Barton, late tax collector of the county of Yalobusha, praying release from certain judgments against him as tax collector; which,

On his motion,

Was referred to the committee on propositions and grievances;

Mr Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles to wit:

An act to appropriate money for the relief of the Mississippi volunteers now in Mexico;

An act to relinquish to the United States, jurisdiction over a lot of ground as a site for the erection of Biloxi light house;

An act to change the time of holding the probate court in the counties of Clark and Jasper;

And have found the same correctly enrolled.

Mr. Cushman, from the judiciary committee, to whom was referred the petition of Cary D. Tucker, praying the Legislature to release the estate of Howell M. Runnels, and herself individually, from several judgments rendered in favor of the State of Mississippi, for the use of the Seminary fund, against the estate of the

said Runnells and Cary D. Runnells, now Cary D. Tucker, individually, reported favorably to so much of said petition as relates to said Cary D. Tucker individually, with a bill to be entitled, an act for the relief of Cary D. Tucker, and unfavorably to the balance of said petition, and recommended the passage of the bill;

Which was received and agreed to,

And the bill read the first time.

Mr. Cushman, from the same committee, to whom was referred so much of the Governor's message as relates to the purchase of Smedes' Digest of the Reports of the State, reported a bill to be entitled, an act to provide for the purchase of 250 copies of Smede's Digest, and recommended its passage.

Mr. Cushman moved that the report be received and agreed to.

A division of the question being called for, was first taken on receiving and decided in the affirmative.

The question was then taken on agreeing to the report, and decided in the negative.

Mr. Huie, from the committee on propositions and grievances, to whom was referred the petition of Joshua Nelson, praying remuneration for the apprehension of one Wesley Brown, in the State of Tennessee, and the delivery of said Brown to a lawful officer, in the county of Pontotoc, to await his trial, upon a charge of murder committed in said county, reported a bill for the relief of Joshua Nelson;

Which was received and agreed to,

And the bill read the first time.

Mr. Slade, from the select committee, to whom was referred the petition for the removal of the seat of justice of Yazoo county, with the remonstrance thereto, reported a bill to be entitled,

An act to provide for the removal of the seat of justice of Yazoo county;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Slade,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

The following message was received from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Repre.

sentatives, that the Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act for the relief of James Bond of the county of Choctaw, as one of the securities of Richard S. Graves, formerly treasurer of this State;

A bill to be entitled,

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved Feb'y. 10, A. D. 1842;

A bill to be entitled,

An act to define the line between Desoto and Tunica counties;

A bill to be entitled,

An act to provide for the payment of the Planters bank bonds and coupons, issued by the State on account of the Planters bank.

The Senate have passed the bill from the House of the following title, to wit:

§ A bill to be entitled,

An act to attach fractional township 2, of range 12 west, to Tunica county.

Mr. Steele, by leave, introduced a bill to entitled,

An act abolishing the office of assessor of taxes in this State;

Which was read the first time.

On motion of Mr. Steele,

The rule was ruspended,

The bill read the second time, and referred to the committee on ways and means.

On motion of Mr. Walker,

Resolved, That the committee on military affairs be requested to take into consideration, the propriety of furnishing to each commander of a company in this State, one copy of the militia laws, and one copy of the most approved military tactics, and report by bill or otherwise.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report;

MR. SPEAKER—The joint standing committee on enrolled bills, have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act to repeal an act entitled an act to incorporate the town of Commerce, approved Feb'y. 15, 1839; and,

An act to incorporate the town of Delta, in the county of Coahoma;

And have also presented to his excellency the Governor, for his approval and signature, the following bill:

An act to appropriate money for the relief the Mississippi volunteers, now in Mexico.

Mr. Huie, by leave, introduced a preamble and resolution of the Legislature of the State of Mississippi to the Congress of the United States, relative to the condition of the 2d Mississippi Rifles and the battalion in New Orleans;

Which was read the first time.

On motion of Mr. Huie,

The rule was suspended,

The preamble and resolution read the second and third time, forthwith, and adopted.

Mr. Ellis offered the following resolution:

Resolved, That the committee on ways and means be, and they are hereby instructed, to inquire into the expediency, and report to this House at as early a day as practicable, an amendment to the revenue act of 1846, levying an ad valorem tax on all slaves in this State owned by resident citizens, so as not to reduce the present revenue from slaves, but to equalize the burdens of taxation;

Which was adopted.

Mr. Campbell of Desoto, by leave, introduced a bill to be entitled, an act to establish an additional district in the inferior court of Chancery, in the northern part of this State;

Which was read the first time.

On motion of Mr. Campbell,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. Campbell of Desoto, by leave, introduced a bill to be entitled,

An act for the mutual protection of lawyers and clients, and for other purposes;

Which was read the first time.

Mr. White gave notice that he will, on to morrow, or some other day of the session, introduce a bill extending the right of suffrage to our officers and soldiers engaged in the war with Mexico.

Mr. Brooke, by leave, introduced

A bill to be entitled,

An act for the relief of Augustus Pitchford of the county of Holmes;

Which was read the first time.

On motion of Mr. Brooke,

The rule was suspended,

The bill read the second time, and referred to a select committee of three.

The Chair appointed as said committee, Messrs. Brooke, Henry and Thomas of Yazoo.

On motion of Mr. Brooke,

Resolved, That the committee on ways and means be instructed to inquire into the expediency of taxing hawkers and pedlars to such an extent as to lessen their number, or entirely prohibit them, and making it a penitentiary offence to trade with negroes.

Mr. West of Holmes, by leave, introduced a bill to be entitled,

An act to prevent appeals from justices courts, by certiorari, or otherwise, to the circuit courts, or any other court known to the constitution of the State of Mississippi;

Which was read the first time.

Mr. West of Holmes, moved the suspension of the rule;

Which was lost.

Mr. West of Holmes, by leave, introduced a resolution of the Legislature of the State of Mississippi relative to the Governor of the State and other persons holding lucrative offices;

Which was read the first time.

Mr. West of Holmes, moved a suspension the rule;

Which was lost.

The House then proceeded to the consideration of its special orders:

A bill to be entitled,

An act for the relief of Zebulon P. Wardell, was considered in committee of the whole,

Mr. Liddell in the chair;

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage;

Which was received and agreed to;

The bill read the third time,
And passed with its title as stated.

The special order of the day, entitled,

An act to provide for the sale of lands purchased by the State at tax sales, was considered.

On motion of Mr. Dilworth,

It was made the special order of the day for 12 o'clock tomorrow, in committee of the whole.

The following message was received from the Senate by Mr. Tebo, their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have disagreed to the amendment made by the House, to the bill from the Senate of the following title, to wit:

A bill to be entitled,

An act for the relief of Archibald Milloy, of Covington county.

The special order entitled

An act for the relief of Jefferson J. Hughes, was considered in committee of the whole, Mr. Whitfield in the chair.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again;

Which was received and agreed to.

The special order entitled,

An act to incorporate the Trustees of Eureka Masonic College, at Richland, in Holmes county,

Was read the third time,

And passed with its title as stated.

The special orders entitled,

An act for the relief of Henry Flowers, late tax assessor of Amite county, to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

And a bill to be entitled,

An act for the relief of Shields L. Hussey, of Lauderdale county, were considered in committee of the whole, Mr. Whitfield in the chair.

After some time spent therein, the committee rose, reported the bills back to the House without amendment, and asked to be discharged from the consideration of the same;

Which was received and agreed to.

On motion of Mr. Wall,

The bills for the relief of Henry Flowers and John G. Robinson, were referred to the committee on propositions and grievances.

Mr. Alderson offered the following amendment to the bill for the relief of Shields L. Hussey, to wit:

Amend by adding to the first and second sections,

Provided that the sum paid to said Shields L. Hussey shall be deducted from the salary of the District Attorney.

On motion of Mr. Connell,

The amendment was rejected.

Mr. Suratt offered the following amendment:

Amend first and second section by striking out one hundred and fifty and inserting seventy-five;

Which was lost.

No other amendments being offered,

The bill was read the third time,

And passed with its title as stated, by yeas and nays as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Bynum, Campbell of Desoto, Campbell of Franklin, Carroll, Clayton, Cleveland, Connell, Cushman, Dampier, Davis, Ellis, Force, Fortson, Gatlin, Hall, Houston, Huie, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, Metcalf, Moore, Myers, Neill, Ray, Simrall, Steger, Thames, Thomas of Yazoo, Toulme, Wall, White, Whitmore, Wilds, Williams, Wilson, Wooldridge and Yerger—42.

Those who voted in the negative, are,

Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brooke, Brown, Catchings, Collier, Cypert, Dilworth, Duke, Echols, Ford, Godfrey, Hamer, Hancock, Henry, Hinds, Hogue, Johnston, McWilliams, Melton, Neely, Phillips, Sanders, Steele, Stewart, Suratt, Trigg, Walker, Weathersby, Weir, West of Wayne, West of Holmes, and Whitfield—36.

The special order entitled,

An act for the relief of James W. Wade, late superintendent of the penitentiary,

Was read the third time.

Mr. Walker moved to lay the bill on the table,

Which was lost.

The question was then taken on the passage of the bill,

And decided in the affirmative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Alderson, Brooke, Bynum, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Catchings, Clayton, Cleveland, Cushman, Duke, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Houston, Huie, Johnston, Liddell, Lynch, Mason, McInnis, McLaurin, Metcalf, Moore, Myers, Neill, Phillips, Simrall, Steele, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Toulme, Wall, Weathersby, West of Holmes, White, Whitmore, Wilds, Williams, Wilson, Wooldridge and Yerger—52.

Those who voted in the negative are,

Messrs. Abbott, Arnold, Bardin, Bond, Brown, Collier, Connell, Cypert, Davis, Dilworth, Echols, Ellis, Foote of Tippah, Gatlin, Hinds, Hogue, McAfee, McWilliams, Melton, Neely, Ray, Sanders, Suratt, Trigg, Walker, Weir and Whitfield—27.

Mr. Echols gave notice that on to-morrow or some future day, he would ask leave to introduce a bill to be entitled,

An act to require physicians, before entering upon the practice of medicine in this State to undergo certain restrictions therein named.

On motion of Mr. Liddell,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency and propriety of so altering the existing laws of the State in relation to the employment of slaves or free persons of color by owners or captains of steam boats, that when any owner or captain of a steam boat shall be found guilty of so illegally employing any slave or free person of color, that the boat on which such slave or free person of color may be so employed, shall be subject to such damages as may be adjudged to the owner or guardian in any court having jurisdiction of such cases, and that a lien shall operate from the date of the employment of such slave or free person of color.

On motion of Mr. Abbott,

Resolved. That a committee of three be appointed to enquire into the expediency of renting or leasing the penitentiary, and that said committee report to this legislature at as early day as practicable by bill or otherwise.

The Chair appointed as said committee Messrs. Abbott, Metcalf and Henry.

On motion of Mr. Connell,

Resolved, That the clerk of this House be instructed to purchase ink, wafers and other stationery necessary for this house, and present his account to the committee on claims.

Mr. Henry offered the following resolution:

Resolved, That on to-morrow and every succeeding day during the present session, this House shall be convened at half past nine o'clock A. M. and take a recess at half past 12 until 2 o'clock P. M., and that it shall adjourn at 5 o'clock P. M.

Mr. Simrall offered the following amendment:

That the House convene at 10 o'clock A. M., adjourn at 1 o'clock, meet at 3 o'clock P. M. and adjourn at half past 5.

On motion of Mr. Weir,

The resolution and amendment were laid on the table.

On motion of Mr. Cushman,

The House adjourned until to-morrow morning at 10 o'clock.

TUESDAY, FEBRUARY 1, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Joshua T. Russell, of Canton, Madison county.

Mr. Huie from the committee on propositions and grievances, to whom was referred a bill to be entitled,

An act for the relief of Henry Flowers, late tax collector of Amite county,

Reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to,

And the bill read the third time,

And passed with its title as stated.

Mr. Huie from the same committee, to whom was referred,

A bill to be entitled,

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named,

Reported the same back to the House without amendment and recommended its passage;

Which was received and agreed to,

And the bill read the third time,
And passed with its title as stated.

Mr. Huie from the same committee, to whom was referred the petition of Garrett Ford, praying the appropriation of a certain sum of money therein mentioned,

Reported the same back to the House, and recommended that the prayer of the petitioner be not granted.

Mr. Huie moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And decided in the affirmative.

On motion of Mr. Campbell of De Soto,

The report was laid on the table.

Mr. Nailor from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

An act to attach fractional township 2, of range 12 west, to Tunica county;

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi river at Rodney;

An act to incorporate Canton male academy in the county of Madison;

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

An act to divide the fifty-first regiment of the Mississippi militia of De Soto county;

An act to amend an act reducing the fees of certain officers therein named, approved Feb. 10, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

An act to authorize Henry L. Hampton to erect a mill dam;

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

An act to amend an act to incorporate the Grenada bridge and turnpike company;

An act to transcribe into suitable books the records of the court of probates of the county of De Soto;

An act to change the time of holding the court of probates of Issaquena county;

And have found the same correctly enrolled.

Hr. Cushman from the judiciary committee, to whom was referred a bill to be entitled,

An act to amend an act to organize and establish circuit courts,

Reported the same back to the House and recommended that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Cushman from the same committee, to whom was referred a bill to be entitled,

An act further to amend the several laws of the State in relation to the courts of probate,

Reported the same back to the House with sundry amendments thereto, and recommended its passage;

Which was received and agreed to; and

On motion of Mr. Cushman,

Was made the special order of the day for Friday next at 12 o'clock.

Mr. Connell from the joint standing committee on claims, to whom was referred a bill to be entitled,

An act for the relief of James S. Pritchard, John B. Moore and Nathan B. Whitehead,

Reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to;

The bill read the third time,

And passed with its title as stated.

Mr. Connell from the same committee, to whom was referred a bill to be entitled,

An act for the relief of Charles Ryan,

Reported the same back to the House and recommended that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

The following message was received from his Excellency the Governor, by Mr. Jones, his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Govern-

or, to inform the House that he has approved and signed the following bills, to-wit:

An act to incorporate the town of Delta in the county of Coahoma;

An act to repeal an act entitled an act to incorporate the town of Commerce, approved Feb. 15, 1839; and an act to amend an act entitled an act to incorporate the town of Commerce, approved Feb. 3, 1840.

Approved January 31, 1848.

Mr. Huie from the committee on propositions and grievances, to whom was referred the petition of John Perkins, praying the passage of an act exempting him from the penalties of the statute which requires the presence of at least one white person to every collection of negroes exceeding six in number, and extending to him the privilege of increasing that number to ten,

Reported that it was inexpedient to grant the prayer of the petitioner, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Huie from the same committee, to whom was referred the claim of John C. Wade, sheriff of Copiah county,

Reported that the claim had been improperly referred to the committee on propositions and grievances, and asked to be discharged from its further consideration;

Which was received and agreed to;

And the claim referred to the committee on claims.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to incorporate the wardens and vestry men of Trinity Church, in Yazoo City;

A bill to be entitled,

An act for the benefit of convicts in the penitentiary;

A bill to be entitled,

An act to regulate the practice of the courts in certain cases.

The Senate have passed the bill from the House of the following title, to-wit;

A bill to be entitled,

An act for the relief of Emily Thompson.

The Senate have passed the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to incorporate the president and trustees of the Aberdeen female academy in the town of Aberdeen;

In which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on yesterday sign the acts of the following titles, to-wit:

An act to remove the seat of justice of the county of Monroe from the town of Athens and permanently locate it in the town of Aberdeen;

An act to amend an act entitled an act to reorganize the judicial districts of this State, and for other purposes.

The Senate have adopted the following joint resolution:

Resolved, the House concurring, that a joint committee of three on the part of the Senate, —on the part of the House, be appointed to inquire into the expediency of leasing out the State penitentiary, and that they report by bill or otherwise, and have appointed as said committee on the part of the Senate, Messrs. Boone, Guion and Greer;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. Hancock from the committee on ways and means, to whom was referred a bill to be entitled,

An act to amend an act to change the mode of collecting revenue of hawkers and pedlars, approved 28th Feb. 1846,

Reported a bill to be entitled,

An act to amend an act to change the mode of collecting revenue of hawkers and pedlars, approved 28th Feb. 1846, without amendment and recommended its passage;

Which was received and agreed to.

Mr. Hancock from the same committee, to whom was referred the resolution inquiring into the expediency of so taxing hawkers and pedlars as to prohibit them from peddling, and also making it a penitentiary offence to trade with negroes,

Reported that it was inexpedient to levy such a tax.

Mr. Hancock moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And decided in the affirmative;

Was then taken on agreeing,

And decided in the affirmative.

Mr. Wilds from the standing committee on county boundaries, to whom was referred the petition of sundry citizens of Tallahatchie county,

Reported a bill to be entitled,

An act to attach a portion of Tallahatchie county to the county of Sunflower;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Foree,

The bill was rejected.

The following message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to change the time of holding the courts of the sixth judicial circuit court district;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills from the House of the following titles, to-wit:

A bill to be entitled,

An act to authorize the circuit court of Leake county to sell certain judgments rendered therein for the costs of suit;

A bill to be entitled,

An act to incorporate Louisville Lodge No. 75, of free and accepted masons in the town of Louisville;

A bill to be entitled,

An act to incorporate the board of trustees of the Odd Fellows' hall at Natchez Mississippi;

A bill to be entitled,

An act to authorize the boards of police of the counties of Jackson, Harrison and Hancock to grant licence to individuals to erect

and establish wharves in said counties and for other purposes.

The Senate have also passed the resolution from the House granting leave of absence to James Wellons.

Mr. Whitmore from the select committee, to whom was referred so much of the Governor's message as relates to the salaries of district attorneys, and a bill from the Senate entitled an act to increase the compensation of the district attorneys of this State, reported the same back to the House with the following amendment, to-wit:

Strike out in the third section the words "the first day of November, A. D. 1849," and insert the words "its passage," and recommended the passage of the bill as amended;

Which was received.

The question was then taken on agreeing to the report,
And decided in the affirmative.

Mr. Thomas of Marshall, offered the following amendment:

Amend the second section by inserting after "be it enacted" the following: that when it shall be made to appear to the court that the person so convicted hath no estate or means wherewith to pay such tax fee, it shall be the duty of the court to discharge him from further imprisonment for such tax fee;

Which was adopted.

On motion of Mr. Cushman,

The bill and amendments were made the special order of the day for to-morrow at 12 o'clock in committee of the whole.

On motion of Mr. Hancock,

The House adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, FEBRUARY 2, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev Oliver A. Shaw, of the Episcopal Church.

Mr. Campbell of Desoto, presented the petition of Lawrence W. Evans, a citizen of the county of Desoto, praying the Legislature to refund him certain moneys therein named, for the purchase of lands at tax sale; which,

On his motion,

Was referred to the committee on claims.

Mr. Campbell of Desoto, presented the petition of Wm. Halliburton, a citizen of the county of Desoto, praying the passage of an act granting him half the amount of the value of a slave hung for committing a rape, by the verdict of the citizens of said county; which,

On his motion,

Was referred to the committee on propositions and grievances;

Mr. Catchings presented the memorial of sundry citizens of the county of Hinds, praying an amendment of the law in relation to divorces, and alimony; which,

On his motion,

Was referred to the judiciary committee.

Mr. Catchings presented the petition of sundry citizens of the city of Jackson, praying the Legislature to make provisions for the relief of George Freeman Isler, a lunatic, now in the lunatic asylum, State of Kentucky; which,

On his motion,

Was referred to the committee on the lunatic asylum.

Messrs. Torrey, Houston, Metcalf, and Johnston, presented sundry claims;

Which were referred to the committee on claims.

A message from the Senate by their messenger.

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State;

In which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on yesterday, sign the act from the House of the following title, to wit:

An act to attach fractional township 2, of range 12 west, to Tunica county;

Mr Torrey presented the petition of James Andrews, F. Pinckard and Jno. A. Watkins, citizens of the town of Rodney, Jefferson county, praying the Legislature to confirm the will of James McCabe, an Irishman, and that the executive be authorised to sell the real estate of said decedent; which,

On his motion,

Was referred to the judiciary committee.

Mr. Wilds presented the petition of Hezekiah McNabb, and sundry citizens of the county of Sunflower, praying the passage of an act authorising said McNabb to build a mill on the stream known as Dry Bayou; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Wilds, Liddell, and Weir.

Mr. Johnston gave notice that he would move for a reconsideration of the vote taken on the rejection of a bill to be entitled an act to attach a portion of Tallahatchie county to the county of Sunflower.

Mr. Cushman, from the judiciary committee, to whom was referred the petition of Vidian M. Newton, and F. S. Drake, praying that the title to certain lands therein mentioned be relinquished by the State to them, reported a bill to be entitled,

An act to relinquish the title of the State to certain property, to Vidian M. Newton and E. A. Drake, and for other purposes, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

The following message from his excellency the Governor, by Mr. Jones, his private Secretary:

MR. SPEAKER—I am instructed by his excellency the Governor, to inform the House of Representatives that he has approved and signed the following bills, to wit:

An act to amend an act entitled an act to reorganise the judicial districts of this State, and for other purposes;

An act to remove the seat of justice of the county of Monroe from the town of Athens, and permanently locate it in the town of Aberdeen, approved February 1, 1848.

Mr. Hancock, from the committee on ways and means, to whom was referred the petition of Mary E. Cook, reported the same back to the House with the opinion, that the petition had been improperly referred to said committee, and asked to be discharged from its further consideration;

Which was received and agreed to.

On motion of Mr. Huie,

The petition was laid on the table.

Mr. Simnall, from the judiciary committee to whom was referred a bill entitled an act to amend an act to organise and establish circuit courts and define their powers and jurisdiction at law and equity, approved 2d March, 1833, reported the same back to the House with sundry amendments thereto, and recommended its passage as amended;

Which was received and agreed to,

And the bill and amendments,

Ordered To be engrossed for a third reading on to-morrow.

Mr. Cleveland, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his excellency the Governor, for his approval and signature, bills of the following titles, to wit:

An act for the relief of Margaret P. Baskerville;

An act concerning the probate court of Desoto county;

An act to change the time of holding the probate courts of the counties of Clark and Jasper;

An act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of Biloxi light house;

An act to remove the seat of justice of the county of Monroe from the town of Athens, and permanently locate it in the town of Aberdeen;

An act to amend an act entitled an act to reorganize the judicial districts of this State and for other purposes, &c.;

Mr. Brooke, from the select committee, to whom was referred a bill for the relief of Augustus Pitchford, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to.

The bill read the third time,

And passed with its title as stated.

Mr. Huie, from the committee on propositions and grievances, to whom was referred the petition of William Barton, late tax collector for the county of Yalobusha, praying relief against the payment of a certain judgment rendered against him as a defaulting tax collector, and his sureties, reported the same back to the House, with a bill entitled an act for the relief of William Barton,

(which bill granted partial relief to the petition) and recommended its passage.

Mr. Huie moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving and decided in the affirmative;

The question was then taken on agreeing, and decided in the affirmative,

And the bill read the first time.

Mr. Huie moved a suspension of the rules;

Which was lost.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to wit:

An act to authorise the boards of police of the counties of Jackson, Harrison and Hancock, to grant license to individuals to erect and establish wharves in said counties, and for other purposes;

An act to incorporate Louisville Lodge, No. 75, of Free and accepted Masons, in the town of Louisville;

An act to authorise the circuit court of Leake county, to sell certain judgments rendered therein for the costs of suit;

An act to incorporate the board of Trustees of the Odd Fellows' Hall at Natchez, Mississippi;

An act for the relief of Emily Thompson;

A resolution granting leave of absence to James Wellons;

An act for the relief of Shields L. Hussey of Lauderdale county;

An act for the relief of Zebulon P. Wardell;

And have found the same correctly enrolled.

Mr. Hancock asked and obtained leave of absence for Mr Byrn for a few days.

Mr. Brown, from the committee on internal improvements, to whom was referred the petition and memorial of the Tillatoba slack-water navigation company, asking exclusive privileges to navigate Tillatoba creek below Holly-Grove, and an extension of the time for completing the locks and dams above Holly-Grove, reported unfavorable as to that part of the petition relating to exclusive privileges in navigating below the Holly-Grove, with a bill

to be entitled, an act for the relief of the Tillatoba Slack-water Navigation Company;

Which was received and agreed to,

And the bill read the first time.

Mr. Brown moved a suspension of the rule,

Which was lost.

On motion of Mr. Hinds,

Resolved, That the Auditor of Public Accounts be and he is hereby required to lay before the House a statement showing the number of acres of land now held by the State of Mississippi, purchased for taxes in each of the several counties in this State, with the dates of the several sales.

Mr. Ellis, by leave, introduced a bill to be entitled,

An act to provide the mode of administering the oath of office to all newly elected county officers;

Which was read the first time.

On motion of Mr. Ellis,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

Mr. Bynum, by leave, introduced a bill to be entitled,

An act to provide for the payment of sheriffs' costs in certain cases;

Which was read the first time.

On motion of Mr. Bynum,

The rule was suspended,

And the bill read the second time.

Mr. Whitfield offered the following amendment:

Strike out the words "by the Auditor of Public Accounts," and strike out the word "State" and insert the word county.

Mr. Bynum moved that the amendment be rejected;

Which was lost.

Mr. Neill offered the following amendment to the amendment:

Insert after the word "Treasurer," these words: with the consent of the Board of County Police.

On motion of Mr. Dilworth,

The bill with the amendments was laid on the table for the balance of the session.

Mr. Weathersby, by leave, introduced a bill to be entitled,

An act to amend an act, entitled an act to incorporate the town of Monticello, approved 6th February 1827, and to define the corporate limits of said town;

Which was read the first time.

On motion of Mr. Weathersby,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Hinds moved that the call of the counties be dispensed with in order to take up a Senate bill; which was lost.

Mr. Hall, by leave, introduced a bill to be entitled,

An act to amend the several acts regulating the practice in the Circuit Courts, &c.; which was read the first time.

On motion of Mr. Hall,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

Mr. Whitfield offered the following resolution:

Resolved, That the House hold afternoon sessions so long as the same may be necessary for the express purpose of reading bills the second time.

Mr. Dilworth offered the following as an amendment:

Resolved, That this House set apart each and every Friday and Saturday for the consideration only of private and local bills, and upon no other days.

On motion of Mr. Wall,

Both resolutions were laid on the table.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled, an act to incorporate the Camden Male Academy, in the county of Madison;

A bill to be entitled an act to change the time of holding the Circuit Courts in the seventh judicial district in this State;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills of the following titles, originating in the House, to wit:

A bill to be entitled,

An act to amend an act to incorporate the Canton and Jackson Rail Road Company;

A bill to be entitled,

An act to incorporate the Trustees of Eureka Masonic College, at Richland, Holmes county.

Mr. Whitfield, by leave, introduced a bill to be entitled,

An act to substitute copies of lost papers in lieu of the original; Which was read the first time.

On motion of Mr. Whitfield,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

Mr. Whitfield, by leave, introduced a bill to be entitled,

An act to incorporate McKendree Lodge No. 32 of Independent Order of Odd Fellows;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Whitfield, by leave, introduced a bill to be entitled,

An act to incorporate Tombigbee Encampment, No. 6 of the Independent Order of Odd Fellows;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Whitfield offered the following resolution:

Resolved, That the committee on ways and means be and they are hereby instructed to report a bill appropriating the ninety-five thousand dollars now in the treasury belonging to the sinking fund, and twenty-five thousand dollars more out of any money in the treasury, not otherwise appropriated, making the sum of one hundred and twenty thousand dollars, to pay the interest for one year on the bonds of the State sold on account of the Planters Bank; and the further sum of one hundred and twenty thousand dollars to be drawn from the treasury during the year 1849 to pay another year's interest on said bonds.

Mr. Simrall offered the following as a substitute:

That the committee on ways and means be instructed to report to this House a bill providing for the payment of the annual accruing interest on the Planters Bank bonds; and, also to provide for the gradual payment of the principal and arrearages of interest, and interest thereon.

On motion of Mr. Campbell of De Soto,

The resolution and substitute were laid on the table until 11 o'clock on Friday next.

Mr. Connell, by leave, introduced a bill to be entitled,

An act to compensate the Auditor of Public Accounts for extra services performed by him in the redemption of lands;

Which was read the first time.

The rule being suspended,

The bill was read the second time,

And referred to the committee on the judiciary.

On motion of Mr. Connell,

The House receded from the amendment made to a bill from the Senate, entitled,

An act for the relief of Archibald Milloy of Covington county.

The Senate bill entitled,

An act to incorporate the President and Trustees of the Aberdeen Female Academy, in the town of Aberdeen,

Was read the first time.

On motion of Mr. Houston,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

The Senate resolution raising a joint select committee to enquire into the expediency of leasing the penitentiary,

Was concurred in;

And the Chair appointed the same committee heretofore appointed on that subject.

The Senate bill entitled,

An act to change the time of holding the courts of the sixth judicial Circuit Court district,

Was read the first time.

The rule being suspended,

The bill was read the second time, and,

On motion of Mr. Cleveland,
 Made the special order of the day for to-morrow at 12 o'clock,
 in committee of the whole.

The Senate bill entitled,
 An act to change the time of holding the Circuit Courts in the
 seventh judicial district in this State,
 Was read the first time.

On motion of Mr. Hinds,
 The rule was suspended,
 And the bill read the second time.

On motion of Mr. Campbell of De Soto,
 The bill was referred to the joint select committee appointed to
 reorganise the judicial districts.

The Senate bill entitled,
 An act to incorporate the Camden Male Academy in the county
 of Madison,
 Was read the first time.

On motion of Mr. Ford,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

The Senate bill entitled,
 An act to prohibit the circulation of foreign bank notes in this
 State,
 Was read the first time.

On motion of Mr. Whitfield,
 The rule was suspended,
 The bill read the second time,
 And referred to the committee on the judiciary.

The House then proceeded to the consideration of its special
 order:

The Senate bill entitled,
 An act to increase the compensation of District Attorneys in this
 State,

Was considered in committee of the whole; Mr. Wall in the
 chair.

After some time spent therein, the committee rose, reported
 progress, and asked leave to sit again at 3 o'clock;

Which was received and agreed to.

On motion of Mr. Hancock,
The House adjourned until to-morrow morning 10 o'clock.

THURSDAY, FEBRUARY 3, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer, by the Rev. Mr. Fra-
zee of the city of Jackson.

Mr. Catchings, from the joint standing committee on the lunatic asylum, to whom was referred the memorial for the relief of Geo. Freeman Isler, an inmate of the lunatic asylum, of the State of Kentucky, reported the same back to the House, with a bill to be entitled, an act for the relief of the lunatic asylum of the State of Kentucky, and recommended its passage.

Mr. Catchings moved that the report be received and agreed to.

A division of the question being called for, was first taken on receiving, and decided in the affirmative.

The question was then taken on agreeing, and decided in the negative.

On motion of Mr. Catchings,

The bill was referred to a select committee of three, composed of the delegation from Hinds county, being Messrs. Catchings, White and Johnston.

Mr. Cushman, from the judiciary committee, to whom was referred the petition of sundry citizens of the county of Hinds, praying a change of the present law in relation to divorces, reported the same back to the House with the recommendation that the prayer of the petitioners be not granted, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Cleveland, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to wit:

An act to incorporate the trustees of Eureka Masonic College, at Richland, Holmes county;

An act to amend an act entitled an act to incorporate the Canton and Jackson rail road company, approved 1st February, 1841;

An act for the relief of James S. Pritchard, John B. Moore and Nathan B. Whitehead;

And have found the same correctly enrolled.

Mr. Cushman, from the judiciary committee, to whom was referred, an act to amend the several acts regulating the practice in circuit courts, &c., reported the same back to the House, and recommended that it do not pass, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Cushman, from the same committee, to whom was referred a bill to be entitled an act requiring members of the board of police to act as overseers of the poor, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to,

And the bill read the third time,

And passed with its title as stated.

A message from the Senate, by their messenger, was received.

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed the resolution from the House of the following title, to wit:

A resolution of the Legislature of the State of Mississippi to the Congress of the United States, relative to the condition of the 2d Mississippi Rifles, and the Battalion, in New Orleans, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to wit;

A bill to be entitled,

An act to incorporate the town of Quitman, in the county of Clarke;

A bill to be entitled,

An act to amend the acts regulating the mode of proceedings against incorporated banks for a violation of their corporate franchises, approved July 20, 1843, and February 28, 1846.

The Senate have adopted the following joint resolution, to wit:

Resolved, That a joint select committee of three on the part of the Senate, and——on the part of the House, be appointed, whose duty it shall be to enquire into the expediency of printing and pub-

lishing the acts and resolutions only, and that said committee have power to report by bill or otherwise, and have appointed as said committee on the part of the Senate, Messrs. Gray, Price and Stewart;

In which^e I am instructed to desire the concurrence of the House of Representatives.

I am further instructed to inform the House, that the Senate have passed the bills from the House of the following titles, to wit:

A bill to be entitled,

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

A bill to be entitled,

An act for the relief Henry Flowers, late tax assessor of Amite county;

A bill to be entitled,

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled, an act to amend an act entitled an act concerning divorces, passed June 14, 1826, reported the same back to the House, and recommended that it do not pass, and asked to be discharged from its further consideration.

Mr. Cushman moved that the report be received and agreed to.

A division being called for, the question was first taken on receiving, and decided in the affirmative.

Discussion arising as to the propriety of agreeing to the report, Mr. Cushman withdrew the motion to agree.

Mr. Henry moved that the bill be made the special order of the day for Monday next, in committee of the whole;

Which motion was lost.

The bill was ordered to be engrossed for a third reading tomorrow.

Mr. Cushman, from the same committee, to whom was referred a bill to be entitled an act to compensate the auditor of public accounts for extra services performed by him in the redemption of land, reported the same back to the House, and recommended that it do not pass;

Which was received and agreed to.

Mr. Cushman, from the same committee, to whom was referred

a bill to be entitled an act to enable married women, whose husbands have been convicted of infamous offences, to obtain divorces from the bonds of matrimony, reported the same back to the House, and recommended that it do not pass.

Mr. Cushman moved that the report be received and agreed to.

A division being called, the question was first taken on receiving, and decided in the affirmative;

There being some opposition to agreeing to the report,

Mr. Cushman withdrew the motion to agree.

Mr. Foote of Noxubee, moved that the bill be engrossed and made the special order of the day for 12 o'clock, on Monday next;

Which motion was lost.

The bill was then ordered to be engrossed for a third reading tomorrow.

Mr. Cushman, from the same committee, to whom was referred the Senate bill to be entitled an act to prohibit the circulation of foreign bank notes in this State, reported the same back to the House without amendment, and recommended its passage.

Mr. Cushman moved that the report be received and agreed to.

A division of the question being called for, it was first taken on receiving, and decided in the affirmative.

The question was then taken on agreeing, and decided in the negative.

Mr. Yerger moved that the House resolve itself into the committee of the whole, forthwith, on said bill.

Mr. Whitfield moved that it be made the special order of the day for 12 o'clock tomorrow.

Mr. Dilworth moved that the bill be made the special order of the day for 12 o'clock on Monday week.

The question was first taken on the longest time, and decided in the affirmative.

Mr. Simrall, from the judiciary committee, to whom was referred a bill to be entitled an act to amend the several acts for the protection and preservation of the rights of married women, reported back to the House an amendment to the original bill, by way of substitute, and recommended the passage of said amendment;

Which was received and agreed to, and the bill read the first time.

Mr. Henry moved that the rule requiring bills to be read on three several days be dispensed with;

Which was lost.

Mr. Wooldridge, from the standing committee on military affairs, made the following report:

MR. SPEAKER—The standing committee on military affairs, to whom was referred that portion of the governor's message which relates to the militia, have had the same under consideration and have instructed me to make the following report:

That after as full and complete an examination into the present system of the militia as it was in their power to make, they have been constrained to conclude that its burthens upon the people are not compensated by the good it accomplishes. Without attempting to show all its unnecessary exactions, it will be sufficient to point out a few of the most glaring.

It is indisputable that the best system of militia cannot produce good results, unless the officers and men are stimulated to discharge the duties enjoined upon them by the pressure of some outward calamity. Without such moving and inspiring cause, they will not enter upon their military duties with that spirit necessary to the successful prosecution of any scheme. In one case the people are unable to see its necessity, or the good that the system accomplishes, and hence they are opposed to it as burdensome and oppressive.

Under this system the people are drawn from their homes and usual avocations six times a year, not to speak of the drills of officers and court martials, which many of them are compelled to attend. They are mustered on an average of two hours a day and at long intervals. If military discipline be the object, the times of mustering are too few and too long apart to promote the end desired. For it is a well known fact, that militia trainings are worse than useless, when the men are called together at long intervals, and held together but a few hours. Nothing like discipline can be produced—nothing like a knowledge of the exercises can be engendered, and when drawn into actual service these facts are then but too apparent.

As a school in which military tactics are taught for the reasons adduced, it is wholly useless. Military knowledge can only be acquired by patient and assiduous study, and prolonged and frequent exercise. This is wholly unnecessary, unless the militia were called into actual service. At present there are few who

will devote themselves to a long course of training, at a time when no immediate danger is pressing upon them, and still fewer whose training when called into service, avails them any thing. The experience of the committee attests the utter worthlessness of the system as a school in which military knowledge is taught. It fails to produce the good results which must have been expected when it was established, and therefore the committee recommends its alteration and amendment. Your committee believe the chief, if not the only good to be derived from any system of militia, which would not be too burthensome on the community without any countervailing good, results from a proper organization. They believe all that is necessary, is that the system should be cut down and greatly reduced, so that it shall become a system of military organization, rather than a system of military training. This can be easily effected by reducing the number of days of mustering.

The people under this plan will be allowed to remain at home and attend to their daily business, and not be drawn away to the neglect of their duties.

If it be true that labor is wealth, there is no calculation how much wealth the people of the State have lost by the demands of the present system. If the militia consist of fifty thousand men, and you require them to muster six days in the year, and the labor of each man is estimated at \$1 00 per day, there is a loss from the wealth of the State of \$300,000 every year, and that without any corresponding equivalent. If the system which produces so great a loss can be changed, surely sound policy and true economy urge the change upon the legislature. The plan which the committee have proposed, is to reduce the number of musters from six to two, thus saving to the State annually \$200,000 in labor which is equivalent to money.

Nor will the real and only benefit of the present system be destroyed. The organization of the militia into companies, battalions, regiments, brigades and divisions is retained, and to do this effectually, it was thought advisable to have but one company muster and one regimental muster. By this means the militia are enrolled, their strength and condition ascertained and the officers neither disbanded nor suspended.

It is due to the committee to state, that they did not deem a suspension or abolition of the system, as the true policy of the State. After mature consideration it was doubted whether this could be

done without a violation of the constitution of the United States, and if it did not, it was believed that it would amount in a few years to a total disorganization of the militia. It was reasonable to suppose, that after a few years many of the officers would die, many move away, and many resign, and thus the system would be broken up.

Under this view of the subject, it was thought advisable to adopt a different plan. As now proposed, the militia can be rallied in cases of emergency as soon as under the old system. In cases of invasion or insurrection, orders may be transmitted from the superior to the inferior officers, with the utmost despatch. But it has been suggested, for greater protection against insurrections, that volunteer uniformed companies should be encouraged by granting to them certain exemptions. It is proposed that they shall be exempted from road service and poll taxes, with a view to stimulate their speedy organization. It may be that this will not afford sufficient encouragement.

The committee regard the formation of such companies, as of the first importance to the peace and welfare of society. With arms in their hands and well skilled in their use, they will always be ready at a moments warning, to fly to the protection of the law. They will afford a rallying point in the hour of danger, and do more to quell insurrection and keep down that fell spirit, by the moral effect of their readiness and preparation to encounter the worst, than ten times their number of badly armed and badly disciplined militia.

I therefore submit the following bill, and recommend its passage.

A bill to amend and alter the militia laws of this State.

Section 1. *Be it enacted by the Legislature of the State of Mississippi,* That hereafter, there shall be but one company muster held in each captain's beat, and one regimental muster of each regiment, in each and every year.

Sec. 2 *Be it further enacted,* That all laws requiring the militia to muster in battalions, are hereby repealed; but the organization of the militia into companies, battalions, regiments, brigades and divisions, and their appropriate officers, as now established by law, is hereby retained.

Sec. 3. *Be it further enacted,* That there shall be a drill of the officers of each company on the first Thursday; a company muster on the first Saturday, and a company court-martial on the second Saturday in October, in each and every year.

Sec. 4. *Be it further enacted,* That the regimental musters shall be held in each regiment in every year, in the months of October and November, on such days as the brigadier general in each brigade shall appoint, and that he shall give due and timely notice to the colonel of each regiment of such appointment: *Provided,* that such appointment shall not conflict with the provisions of the third section of this act.

Sec. 5. *Be it further enacted.* That the officers, both company and regimental, may hold courts-martial with or without uniform, as they may deem proper; and that all defaulters at the regimental muster, whether of officers, non-commissioned officers, or privates, shall be amenable to said regimental courts-martial for such default, and be fined as in other cases.

Sec. 6. *Be it further enacted,* That all laws requiring the militia to parade under arms, are hereby repealed: *Provided,* however, that it shall be the duty of each captain to make a complete report to the commanding officer of his regiment, of the strength and condition of his company, as is now required by law.

Sec. 7. *Be it further enacted,* That for the purpose of encouraging the organization of uniformed volunteer companies, the officers and members of such companies, as are now organized, or may hereafter be organized, according to the laws now in force, in relation to volunteer companies, shall be, and they are hereby, exempted from performing road service and the payment of poll taxes.

Sec. 8. *Be it further enacted,* That said companies shall hold their regular musters, at least once in every month, under the rules and regulations now prescribed by law; and that this law shall not be construed in such manner as to repeal the law now in force on the subject of volunteer companies, except where it comes in opposition to the provisions of this.

Sec. 9 *And be it further enacted,* That all laws, and parts of laws, conflicting with the provisions of this act, are hereby repealed, and that this act shall take effect and be in force from and after its passage.

On motion of Mr. Wooldridge,

The report was received and laid on the table.

On motion of Mr. Whitfield,

Two hundred copies were ordered to be printed.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to incorporate Canton male academy, in the county of Madison;

An act to incorporate Jackson Division No. 34 of the Sons of Temperance, in Jackson, Hinds county;

An act to provide for the election of a Collector of Taxes for the county of Amite, and for other purposes;

Joint resolutions inviting Gen. Zachary Taylor and Gen. John A. Quitman to visit the capital of Mississippi during the present session of the legislature;

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

An act to change the time of holding the Court of Probates of Issaquena county;

An act to transcribe into suitable books, the records of the Court of Probates of the county of De Soto;

An act to divide the fifty-first regiment of the Mississippi militia of De Soto county;

An act to authorise Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi river at Rodney;

An act to authorise Henry L. Hampton to erect a mill dam;

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

An act to incorporate Brandon Division No. 7 of the Sons of Temperance, in the town of Brandon, Rankin county, Miss.;

An act to attach fractional township two, of range twelve west, to Tunica county;

An act for the relief of Shields L. Hussey of Lauderdale county;

An act for the relief of Zebulon P. Wardell.

The House then proceeded to the consideration of the unfinished business, in committee of the whole, to wit:

A bill to be entitled,

An act to increase the compensation of District Attorneys:

Mr. Wall in the Chair.

After spending some time therein, the committee rose, and re-

ported the bill back to the House with sundry amendments;

Which was received.

The report of the committee of the whole was then read through, and agreed to.

Mr. Weir offered the following amendment:

Amend by striking out all after the enacting clause and insert that, hereafter, no tax fees or perquisites of any kind shall be allowed to District Attorneys for their services in the prosecution of suits on the part of the State; and, that, hereafter District Attorneys shall each receive the sum of ——— dollars per annum for their services and no more.

SEC. 2. *And be it further enacted*, That all laws conflicting with the provisions of this act, be and the same are hereby repealed, and that this act shall take effect and be in force from and after the first Tuesday in November, A. D. 1849; which,

On motion of Mr. Whitmore,

Was rejected.

Mr. Campbell of De Soto, offered the following amendment:

SEC. — *Be it further enacted*, That the Circuit Court Clerks of the different counties, shall transmit to the Auditor of Public Accounts, a statement of the amounts of the tax fees collected by the different District Attorneys, for their several courts, for the next twelve months after the passage of this act;

Which was adopted.

On motion of Mr. Whitfield,

The amendments were ordered to be engrossed for a third reading on to-morrow.

The special order, a Senate bill entitled,

An act for the relief of W. W. Smith of Ponola county,

Was read the third time,

And passed with its title as stated.

On motion of Mr. Brooke,

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY, FEBRUARY 4, 1848.

The House met pursuant to adjournment.

The Speaker presented the following communication from the Auditor of Public Accounts:

REPORT OF THE AUDITOR OF PUBLIC ACCOUNTS.

AUDITOR'S OFFICE, Jackson, Miss., Feb. 3d, 1848.

Hon. John J. McRae, Speaker of the House of Representatives:

SIR: In obedience to the resolution of the House of Representatives, adopted on the 2d instant, I have the honor to report, that on examination of the File Book of this office, for the registry of lands purchased by the State for taxes, I find the number of acres purchased in 1842, 1843, and 1847, not hitherto redeemed, to be 732,371 acres.

It will be seen that the period when the right of redemption of 292,788 acres of these will expire, will be the 11th of February instant.

Besides the number of acres of land, the State also holds the tax title in 1,374 town lots in the various towns.

I will remark that this account may not be entirely accurate, for want of full data in this office. I have estimated every section precisely at 640 acres, the returns not shewing any fractions; and in many instances parcels of land are returned as "lots," without a specification of the number of acres. These are set down in this report at 40 acres each, and it may be considered a low estimate.

The particulars for each year and county, will be found in statement A accompanying this report. The counties stand in the statement as on the file book of the office. Respectfully submitted.

Your obedient servant,

GEO. T. SWANN,
Auditor of Public Accounts.

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STATEMENT (A.) *Showing the No. of acres purchased by the State for taxes since 1841, and remaining unredeemed.*

Counties.	No. Town Lots.	No. Acres 1842.	No. Acres 1843.	No. Acres 1847.	Total.
Chickasaw,			7,360	46,080	53,440
Attalla,			4,080	6,960	11,040
Leake,			1,280		1,280
Oktibbeha,			2,560	4,640	7,200
Madison,			5,120	8,320	13,440
Marshall,	165		2,560	2,240	4,800
Choctaw,		9,040	3,280		12,320
Coahoma,		3,680		1,200	4,880
Rankin,			11,880	19,120	31,000
Monroe,	221		5,440	34,640	40,080
Itawamba,			160	59,200	59,360
Bolivar,				26,720	26,720
Issaquena,		10,240		78,320	88,560
Lauderdale,			1,440	12,000	13,440
Newton,			2,640	1,440	4,080
Kemper,				7,920	7,920
Holmes,			32,000	1,720	33,720
Desoto,	108		8,960	2,400	11,360
Neshoba,		5,120			5,120
Yazoo,			15,500	1,760	17,260
Sunflower,				19,440	19,440
Scott,			18,040	1,280	19,320

Carroll,		15,680	15,680	8,400	39,760
Jackson,				1,920	1,920
Smith,				80	80
Lawrence,				1,280	1,280
Covington,				5,040	5,040
Panola,			5,448		5,448
Perry,				880	880
Amite,				7,320	7,320
Tallahatchie,			10,080	9,760	19,840
Warren,	3		160	29,440	29,600
Tippah,			13,120	543	13,663
Noxubee,			6,400		6,400
Winston,			10,560	720	11,280
Lafayette,	66		6,160		6,160
Yallahusha,			80	19,360	19,440
Tunica,	662			2,720	2,720
Tishomingo,	71		13,600		13,600
Hinds,	78			16,720	16,720
Pontotoc,			3,840		3,840
Washington,		41,600			41,600
	1,374	85,360	207,428	439,583	732,371

AUDITOR'S OFFICE, Jackson, Feb. 3d, 1848.

Which was laid on the table.

Mr. Hinds moved that one thousand copies be printed;

Which was lost.

On motion of Mr. Cypert,

Five hundred copies were ordered to be printed.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have examined bills of the following titles, to wit:

An act for the relief of Henry Flowers, late tax assessor of Amite county;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum of money therein named;

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

An act for the relief of Archibald Milloy of Covington county;

An act to incorporate Camden Male Academy in the county of Madison;

An act to incorporate the President and Trustees of the Aberdeen Female Academy, in the town of Aberdeen;

And have found the same correctly enrolled.

Mr. Whitfield, by leave, introduced a bill to be entitled,

An act to authorise and require the Auditor of Public Accounts to purchase fuel for the use of the offices of the Chancery Court and the High Court of Errors and Appeals;

Which was read the first time.

On his motion

The rule was suspended,

And the bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Henry, by leave, introduced the following resolution:

Resolved, That the Auditor of Public Accounts be instructed to report to this House at an early day, the amount which has been paid out of the Treasury for the use of the penitentiary per annum since its establishment, and the amount received in the treasury from the penitentiary during the same time per annum up to first January, 1848;

Which was adopted.

Mr. Whitmore, from the select committee to whom was referred

that portion of the Governor's message in relation to the University of the State, made the following report:

MR. SPEAKER—The select committee to whom was referred the memorial of the Trustees of the Mississippi University, have had the same under consideration and instructed me to report, that it appears from examination of the books of the Auditor and Treasurer, the sum of four thousand two hundred and twenty dollars and twenty cents, arising from lease of the seminary lands, was paid into the treasury of the State in the year 1833, and about July of the same year, paid out to the Mississippi College; that in the year 1836 and 7, the sum of eighty-four thousand and nine hundred dollars of this fund was invested in the purchase of stock of the Planters Bank; and further, that the commissioner of this fund reported to the Governor that in the year 1845, the sum of ten thousand two hundred and twenty-two dollars and twenty cents, arising from the sale of the seminary lands, was paid into the Planters Bank, which the bank has failed to pay over.

Your committee find these several sums amount to one hundred and three thousand seven hundred and seventy eight dollars and ninety eight cents including interest on the first stated sum. Your committee report a bill of the following title, to wit:

A bill to be entitled,

An act for the further endowment of the University of Mississippi, and recommend that it do pass;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Whitmore,

The rule was suspended,

And the bill read the second time.

On motion of Mr. Catchings,

The bill was laid on the table.

Mr. Whitmore moved that two hundred copies be printed.

Mr. Hamer moved that five hundred copies be printed;

Which was lost.

Mr. Whitmore's motion was then adopted,

And two hundred copies ordered to be printed.

Mr. Whitmore moved it be made the special order of the day in committee of the whole for Thursday next at 12 o'clock;

Which was lost.

Mr. Nash presented the petition of sundry citizens of the county

of Coahoma in relation to the removal of the county seat from the town of Delta to some more eligible position; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Nash, Yerger and Wilds.

Mr. Nash presented the petition of J. M. Shelby, praying the passage of a law granting him a divorce from the bonds of matrimony; which,

On his motion,

Was referred to a select committee of five.

The Chair appointed as said committee, Messrs Nash, Ford, Foote of Noxubee, Hamer and Hinds.

A message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate did, on yesterday, sign the acts from the House of the following titles, to wit:

An act to incorporate Louisville Lodge No. 75 of Free and Accepted Masons, in the town of Louisville;

An act for the relief Emily Thompson;

An act to authorise the Circuit Court of Leake county to sell certain judgments rendered therein for the cost of suit;

An act to incorporate the Board of Trustees of the Odd Fellows Hall at Natchez, Mississippi;

An act to authorise the Boards of Police of the counties of Jackson, Harrison and Hancock to grant license to individuals to erect and establish wharves in said counties and for other purposes.

The President did, on yesterday, also sign the resolution from the House granting leave of absence to James Wellons.

The Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act to secure the collection of the jury tax and to protect the officers of courts;

A bill to be entitled,

An act to amend the laws relating to suits of injunction, *ne exeat and supersedeas*;

A bill to be entitled,

An act to incorporate the Mutual Life Insurance Company of Mississippi;

A bill to be entitled,

An act to amend the law regulating appeals and suits of error.

Mr. Wilson presented the claims of J. W. Smith and others;

Which were referred to the committee on claims.

Mr. Suratt presented the petition of sundry citizens of Tishemingo county, praying the passage of an act to compensate John L. Davis for arresting one William T. Borem, charged with horse stealing; which,

On his motion,

Was referred to the committee on propositions and grievances.

The following special message was received from his excellency, the Governor, by Mr. Jones his private Secretary:

To the House of Representatives:

In obedience to a resolution of the House of Representatives, I have the honor of transmitting herewith a list of books purchased for the use of the library, which is necessarily imperfect, as I find no list in the office and have therefore had to depend upon the vouchers and orders which I find filed.

I also transmit for the consideration of the legislature an account in favor of the late United States Bank, against the State of Mississippi, for advances in payment of interest upon bonds of the State.

Also the report of the Treasurer of the State Hospital at Natchez.

Also a correspondence between the Commissioner of the General Land Office, and the Agent of Mississippi in relation to the two and three per cent. funds.

Also a copy of the resolution adopted by the State of Tennessee relative to the proposed rail road connecting the waters of the Mississippi river with the valley of the Columbia.

J. W. MATHEWS.

EXECUTIVE CHAMBER, Feb. 4, 1848.

A list of Books bought for the State Library in 1845, 1846 & 1847.

July 1, '45. Law Books,	179 vols.,	for which was p'd,	\$703 70
Oct. 30, '46. " "	6 " " " "	" " " "	30 25
Nov. 21, " " "	3 " " " "	" " " "	15 50
Jan. 28, '47 " "	13 " " " "	" " " "	64 50
July 15, " " "	5 " " " "	" " " "	10 00
Mar. 30, " " "	3 " " " "	" " " "	21 00

July 26, '46. " " supposed, 97 " " " " 875 48

\$1720 43

July 22, '46. religious works, 35 " " " " " 87 07

July 7, " Medical do 13 " " " " " 95 75

Historical do 2 " " " " " 21 00

'47. Tanners Map " " " " " 15 00

\$218 82

This amount is procured from a letter of Gould, Banks & Co., New York, stating the amount of account at \$875 45. This letter bears date of July 26th, 1846. I find in the vouchers, a list of books ordered from Gould, Banks & Co., April 1846, of near one hundred vols., with instructions for them to send any other works published by them since the last order, except State Reports. I have no doubt but the books as found in the list above alluded to, were ordered and the cost of them as stated above. I find that two Globes were ordered in that list, and the cost of them would have to be deducted from that amount, but I am wholly unable to ascertain their cost.

Statement of receipts and expenditures of the Mississippi State Hospital at Natchez, from Dec. 1, 1846, to Dec. 1, 1847.

Dec. 1, 1846—Amount in Treasurer's hands as per last statement, - - - - - \$1,660 37

Dec. 1, 1847—Amount received from city treasurer for
_ eighteen liquor licences say \$250 each, less 2½ com. 4,410 00

Dec. 1, 1847—Amount paid L. P. Blackburne, physi-
cian, and contingent expenses, - - - 5,425 71

Amount balance in treasury, - - - 644 66

6,070 37

Dec. 1, 1847—Balance in Treasurer's hands at this date, 644 66

WM. H. FOX,

Treasurer M. S. H. at Natchez.

The State of Mississippi,

To Bank of the United States.

James Robertson and others, Assignees and Trustees

J. L. Roberts, Agent.

March 25, 1840—To cash paid coupons in N. York from 1st Sept. 1839, being loan of 1833, for \$1,- 500,000, E F G, 57 c 30, - - - - -	\$1,710 00
March 25, 1840—To cash paid same for March 1840 being loan of 1833, for \$1,500,000 E F G 10 of 30	300 00
March 26, 1840—To cash paid same for March 1840 being loan of 1833, for \$1,500,000 E F G 47 of 30	1,410 00
May 7, 1840—To draft on New York, equivalent to specie for the amount guaranteed to be paid to Messrs. Barring Brothers & Co., for interest on Mississippi State stock as per B. B & Cos, ac- count, - - - - -	£8,936 0 2
Com. & interest p. Do. - - - - -	278 8 4

£9,214 8 6

For which amount Mr. Jaudon drew his draft on J. Cowperthwaite, cashier, in favor of B. B. & Co. payable with interest from 15th day of April until the day of payment in London, which draft is this day paid by the above draft on N. York in conformity with the following statement of the account rendered by J. Ward & Co. attorney, et. & C.

Amount of S. Jaudon's account £9,214 8 6, payable with interest at the rate of 6 per cent per annum from 15th April until paid in London.

A remittance by the Great Western may be estimated to be in London the 24th instant, and at 60 days payable at maturity on 27th July, say 103 days at 6 per cent £156 0 3

£9,370 8 9 45,082 22

Note—The £8,936 0 2 at 9 per cent, is \$43,290, for 1443, coupons and payment 25 more \$1,710, as above, 57 coupons \$45,000, (1500 coupons completes the payment on the loan of 1833 for Sept. 1839, E F G, 501 a 2000.)

Amount forwarded,

\$48,502 22

English exchange $8\frac{1}{2}$

\$13,824 89

1,175 11

1840. June 6, £5,000 at 8½ - \$24,111 11

“	“	8,	1,800	“	“	-	8,680	00
---	---	----	-------	---	---	---	-------	----

“	“	11,	900	“	“	-	4,340	00
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" " 15. 500 " " - 2,411 11

“	“	30.	74	“	“	-	356 83
---	---	-----	----	---	---	---	--------

"	July 4,	400	"	"	-	1,928	89
---	---------	-----	---	---	---	-------	----

8,674

41,827 94

" Aug. 6 323 18 5 at 8½ 1,558 42

1,558 42

43,386 36

Less $\frac{1}{4}$ per cent on £8,674—the whole amount of sterling being settled at $8\frac{1}{4}$

96 36

43,290

For 1443 coupons,

43,290 00

Amount payment 25 more as above, 300

" " .26 " " 1,400—1,710 for

57 coupons,

45,000 for

1500 coupons,

Completes the payment on the loan of 1833, for more
1840, E F G, 501 a 2000.

Sept. 7, 1840—To cash paid coupons in New York,
part of loan of 1833, due Sept. 1840, E F G, 76
of 30,

2,280 00

Sept. 10—To cash paid same, E F G, 5 of 30 . . . 150 00

Oct. 19—To cash paid T. Wilson & Co. in London,
for interest coupons, A B C D, loan of 1831, due
July 1840, and paid 1st Oct. 1840, No. 1 a 500,
500 of 30, \$15,000—£3,043 3 9, c 7 $\frac{3}{4}$ per cent, 15,000 00

\$124,222 22

Oct. 21, 1840—To balance of account rendered, 124,222 22

Mar. 23, 1841—To payment in London for balance
of coupons on bonds due Sept. 1840, E F G 1419
a 30 \$42,570

Dec. 7, 1840 . . . £1,475

" 8, " . . . 2,387

" 9, " . . . 1,863

" 11, " . . . 1,512

" 12, " . . . 1,400

" 19, " . . . 1,550

" 28, " . . . 1,600

Jan. 1, 1841, . . . 1,213

" 25, " . . . 1,300

" 30, " . . . 300

" 9, " . . . 268 15

£8,868 15

At 8 per cent exchange, . . . 42,570 05

Bearing interest from the respective dates of payment \$166,792 22

E. E.

J. L. ROBERTS, Agent.

WASHINGTON, Dec. 22, 1847.

Hon. Richard M. Young,

Commissioner of the General Land Office:

Sir—In examining the two and three per cent accounts of Mississippi with the treasury department, I have ascertained as agent for the State, that in their past adjustment, the lands reserved under the treaty of October, 1820 with the Choctaws, to be sold for the support of Choctaw schools, have been excluded, by which the State has suffered much injustice. The reason for this course,

by which its justification may be attempted, cannot be answered as they are not perceived. It is deemed sufficient in demonstration of the wrong, to refer you to the 5th section of the act of March 1, 1817, admitting the State into the Union, and to the title of the act of July 4, 1846, which is "an act to carry into effect in the states of Alabama and Mississippi, the existing compacts with those states in regard to the five per cent fund," &c. the act itself directing the payment to the states of Alabama and Mississippi of five per cent upon the nett proceeds of certain lands sold for the benefit of the Chickasaw Indians.

I have the honor respectfully to request, that you will direct that in the next adjustment of these accounts, these Choctaw school lands may be *included*, in order that the "existing compact" with the State may be carried rightfully, into effect.*

I have the honor, also to claim, in behalf of the State of Mississippi, that in the next adjustment of the accounts the five per cent shall be calculated upon the amount of the Choctaw certificates, in the same manner as upon the cash received in payment for lands.

Lands sold by the United States, are lands for which the United States have received a *consideration*, whether in money, labor, or any thing else, sufficiently valuable, in the estimation of the government, to induce it to convey its title to the land, the law in establishing a *minimum* price for the public land, ascertains and declares its value in money, whenever the government may please to dispose of it for anything else than money. These Choctaw certificates, estimated on this principle by the law, have been made receivable at the land offices in Mississippi, Alabama, Louisiana and Arkansas, in payment for lands at the rate of \$1 25 for every acre of land expressed upon the face of the certificates. In the receiver's accounts which by the 2d section of the act of March 3, 1803 (see Land Laws of 89) are made the basis of the fund accounts, these certificates are treated as cash, and the commissioners of the register's and receiver's are justly allowed upon their amount as upon so much cash. The rule or reason is not apparent, which makes it proper to withhold from the State, the commissions to which by existing compacts, she is entitled, while the

commissions are paid without abatement, to the officers of the government.

I am very respectfully,

Your obedient servant,

THOS. J. JOHNSTON.

*In lieu of taxation upon the public lands within their limits, the right to which was yielded by the new states, for a term of years, such states were to receive 5 per centum upon the nett proceeds of certain public sales by the United States.—See Governor Quilman's message 1836.

WASHINGTON, Jan. 7, 1848.

Sir—Herewith you will receive the decision of the commissioner of the General Land Office, touching two points raised by me as agent for the State, in the revised adjustment of the two and three per cent accounts of Mississippi; one of which has been, as you will perceive, decided favorably, and the other adversely to her interests. Upon the second point, an appeal will be taken to the Secretary of the Treasury.

With this point in reserve, the act as revised, will be adjusted in a few days, when the Secretary of the Treasury will be requested to have the amount due, placed to the credit of the State upon the books of the department, less my commissions. All of which will be duly notified to you for your executive action, if required.

The investigations which have arisen out of this subject, enable me to say, that a slight and practicable amendment of congressional legislation, past and pending, will place under the control of the State of Mississippi, upwards of one hundred thousand dollars, in subservience to her public purposes. To such an object I would be glad to lend an humble hand, as well as to point out the means of its accomplishment.

It may be done under an agreement with the competent authorities of the State, by which I shall be allowed adequate remuneration for my services, (say 15 per cent) by a per cent upon the amount which I may be enabled to recover from the treasury department, on account of the two and three per cent fund, over and above the amount heretofore admitted by the department to be due to the State, on that account, including in said agreement the said

per cent upon the amount of indebtedness, which, over and above the sum admitted by the department, taking its past adjustment as the standard, I may cause to be admitted under existing laws, and under such laws as may be amended or passed during the present session of Congress, such an agreement would only be an extension of the one made by Gov. Brown, under which I have acted; and if it meet your sanction, I shall be glad to hear so at an early period. The object eminently deserves the attention of the executive of Mississippi, as other States, with fewer merits, are engaged through their representatives, in pressing* kindred interests upon congressional legislation, it is my intention to consult with Senators Davis and Foote, and will send you a statement of their views, as soon as I shall have done so; but if anything is to be done, no time ought to be lost; and as no public mischief can arise out of the agreement which I have proposed, I present the subject unceremoniously to you, as embraced in the scope and spirit of my present arrangement with Gov. Brown, the result of which will be reported to you in a few days. But for the time expended upon the two and three per cent account with the prospect of inadequate remuneration (say fifteen per cent on \$5000), I would be glad, gratuitously, to place into the hands of the Mississippi Senators, whose aid I shall require, the data of success as to an object of such great public concernment. Though not originated by them, it will receive their cordial co-operation, especially if you should take the lead, fitted to the executive guardianship of the public interests of Mississippi. Actuated by a commendable public spirit, your predecessor, Gov. Brown, took the matter of the two and three per cent account in hand, and gave me authority to re-examine it—and to him, I beg leave to refer you, should he not be, as I suppose, on his way here. I refer you, also, to my friend J. D. Freeman, Esq. The agreement, if agreeable to you, may be drawn almost in the language I have used; and an early reply is respectfully requested.

Your most obedient servant,

THOS. J. JOHNSTON.

Gov. J. W. MATTHEWS, Jackson.

GENERAL LAND OFFICE, }
 December 28, 1847. }

Sir—I am in the receipt of your letter of the 22d inst. claiming as agent for the State of Mississippi, that in the next adjustment of the account between the U. States and that State, for the two and three per cent fund, accruing to the latter, upon the nett proceeds of the sales of public lands within her limits, she should receive, for reasons stated, the per centage ensuing from the sales of lands sold by the United States, for the benefit of the Choctaw Indians, under the treaty with that tribe, concluded October, 1820; and, also, upon what would be the proceeds of lands located under certificates, issued under the 3d section of the act of 23d August, 1842, estimating the price of the land, so located, at the rate of \$1 25 per acre.

In reply, I have to state, that in an adjustment of an account, for a similar fund, with the State of Ohio, it having been directed by the Secretary of the Treasury, that that State was entitled to her per centage, under the provision of the treaty with the Wyandot Indians, concluded 23d April, 1836, which provisions are analogous to those of the treaty of October, 1820, so far as they bear upon this question, the State of Mississippi will, in the next adjustment of the two and three per cent fund, be credited with their per centage, upon the lands sold under the provisions of the latter, above recited treaty.

Lands located under the certificates issued under the act of 23d August, 1842, are not considered as sold, and do not form a proper item, in accounts of receivers of public moneys, nor are any commissions now allowed to registers and receivers, for their location. It is true they were, for a short time, introduced into such accounts and commissions allowed. But such a course being considered at variance with law, the instructions under which it was adopted have been rescinded. These certificates are, therefore, considered but floats, not scrip, are not introduced into the accounts of receivers, which form the basis of the final accounts, and the per centage will not be allowed as claimed.

I am very respectfully,

Your obedient servant,

[Signed]

RICH'D M. YOUNG.

THOS. J. JOHNSTON, Agent, &c.

STATE OF TENNESSEE, EXECUTIVE DEPARTMENT, }
Nashville, Dec. 25th, 1847. }

His Excellency the Governor of Mississippi:

Sir—I have the honor herewith to transmit to you a certified copy of certain resolutions passed by the General Assembly of the State of Tennessee. And have the honor to be,

With great respect,

Your obedient servant,

[Signed]

N. S. BROWN.

Resolutions approving of Mr. A. Whitney's plan of a rail road to connect the Atlantic and Pacific oceans.

Whereas, the construction of a rail road across the continent of North America, would make the United States the great highway between Europe and the populous and wealthy empires of Asia—would greatly facilitate our own intercourse with these regions—would tend to consolidate our Union—would connect and bind Oregon and the Pacific coast to us, and would give a fresh impulse to our great agricultural, manufacturing, and commercial interests; and whereas, this stupendous work can be accomplished, and the public lands constitute a fund appropriate for defraying the expenses of such an undertaking—as a small part of them would furnish the means, and the value of the remainder would be greatly enhanced thereby; and whereas, the plan of Mr. Asa Whitney of New York, in its great outlines is, in our opinion, the only practicable scheme for the accomplishment of this great undertaking, which should be commenced as soon as practicable; therefore,

Resolved by the General Assembly of the State of Tennessee. That they approve of Mr. Whitney's plan, as explained by himself to them, of constructing a rail road from lake Michigan to the Pacific ocean, from an appropriation of the public lands on its line, connecting the sale and settlement of the lands with the building of the road, making it an individual enterprise; still under the control of Congress.

2. *Resolved*, That the senators and representatives of this State in Congress be, and they are hereby requested to give this measure their prompt attention and support.

3. *Resolved*, That his excellency the Governor, be, and he is hereby requested to transmit a copy of these resolutions to the executive of each State in the Union, and a like copy to the senators.

and members of the house of representatives from this State in the Congress of the United States.

F. BUCKANAN,

Speaker of the House of Rep.

J. M. ANDERSON,

Speaker of the Senate.

Passed Dec. 1, 1847.

STATE OF TENNESSEE, DEPARTMENT OF STATE, }
Nashville, Dec. 25th, 1847. }

I, William B. A. Ramsay, Secretary of State, do hereby certify the foregoing to be a full and true copy of resolutions passed by the General Assembly of said State, as appears from the original, now on file in my office,

W. B. A. RAMSAY, Sec'y. State.

On motion of Mr. Dilworth,

That part of the message relating to the State Library, was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Dilworth, Catchings, Houston, Liddell, and Ford.

On motion of Mr. Stanton,

That part of the message relating to the State Hospital at Natchez, was laid on the table.

On motion of Mr. Wall,

That part of the message which relates to the account of the United States Bank, was laid on the table.

On motion of Mr. Catchings,

The correspondence relative to the two and three per cent funds and the resolutions of the State of Tennessee, were referred to the committee on State and Federal relations.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to enable the tax collectors more efficiently to collect the revenue of this State;

A bill to be entitled,

An act to legalize the lease of sixteenth sections in Pike county;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills from the House of the following titles, to wit:

A bill to be entitled,

An act to provide for the removal of the seat of justice in Yazoo county, and have made sundry amendments thereto; in which I am instructed to desire the concurrence of the House.

A bill to be entitled an act to authorise the Auditor of Public Accounts to purchase fuel for the offices of the Chancery court, and the High Court of Errors and Appeals.

The President of the Senate did, on this day, sign the acts from the House of the following titles, to wit:

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

An act for the relief of Henry Flowers, late tax collector of Amite county.

Mr. Catchings, from the joint standing committee on education, to whom was referred the subject in relation to common schools, reported a bill to be entitled,

An act to provide for and establish common schools;
Which was received, and the bill read the first time.

On motion of Mr. Cushman,
The bill was laid upon the table.

Mr. Metcalf moved that 1000 copies be printed;
Which was lost.

On motion of Mr. Dilworth,
Two hundred copies were ordered to be printed.

Mr. Wooldridge, from the standing committee on military affairs, to whom was referred so much of the Governor's message as relates to the arms of the 1st regiment of Mississippi Rifles, reported that they most heartily sanction the recommendation of the Governor, to present to each of those gallant men, one of those effective rifles, which enabled them to perform such wonderful feats of daring and courage. The committee also recommended, that the discharged soldiers of said regiment be presented, in the name of the State they so nobly served, each, with a rifle and its accoutrements.

The above report was accompanied with a resolution of the State of Mississippi, in relation to that subject.

The report was received and agreed to, and the resolution read the first time.

On motion of Mr. Wooldridge,
The rule was suspended,
The bill read the second and third time forthwith,
And passed.

Mr. Hancock, from the standing committee on ways and means, made the following report:

MR. SPEAKER—The committee of ways means have had under consideration the propriety of altering, changing or amending, the revenue law of this State—whether a better system of collecting the revenue of the State could, with propriety, be now adopted.

The chairman of said [committee, takes pleasure in saying, that each and every member of the committee have discharged the arduous duties incumbent upon them, with much patience and efficiency, and have instructed me to make the following report, in which they ask the concurrence of the House.

The above report was accompanied with a bill to be entitled

An act to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes;

Which was received and agreed to,

And the bill read the first time by its title.

On motion of Mr. Hancock,

The bill was laid on the table and two hundred copies ordered to be printed.

Mr. Thomas of Yazoo, from the committee on the Vaccine Depot, made the following report:

The standing committee on the Vaccine Depot, established in the city of Jackson at the last session of the Legislature, have had the same under consideration and beg leave to report, that after full and free conference with the agent, Dr. Edward Pickett, and after an examination of his "register of persons vaccinnated" and of those to whom the vaccine matter has been distributed as well as of the matter procured for distribution, and of his mode of distributing, and directions accompanying the several packages, circulars, &c. sent out. The committee are entirely satisfied that the requisitions of the law have been in effect rigidly and faithfully complied with so far as relates to his duties, with the exception of the two brief periods referred to in his report to the Governor,

the agent assures your committee that he has at all times been prepared to supply all applicants with genuine fresh matter matured under his own eye on young and healthy subjects, and not to applicants only, but many others has it been sent who had not applied for it.

The number of packages sent out have been nearly one hundred, and we are pleased to be able to report that he is almost daily engaged in vaccinnating, collecting and distributing the matter. Your committee are not able to pronounce on the extent of utility of the agency, for this to a great extent must depend on the proper employment of the virus by those to whom it may be sent, but from the limited reports which the agent has been able to collect from those whom he has supplied with the matter, he is of opinion it has been generally and successfully employed. In a few instances only has he been applied to for a second supply in consequence of a failure of the first.

In conclusion, your committee concur in the opinion that the duties of the agent have been intelligently, efficiently and well administered, and that the beneficial results contemplated by the Legislature in establishing the agency, have resulted and are likely to result to the public interest by its continued operation.

All of which is respectfully submitted;

Which was received and agreed to.

Mr. Brown from the committee, to whom was referred the memorial of the board of police and other citizens of Tallahatchie county, made the following report:

The standing committee on the part of the House, to whom was referred the memorial of the board of police and other citizens of Tallahatchie county, praying that that portion of Tillatoba creek below Holly Grove, be declared a navigable stream, have had the same under investigation and consideration and find that a law was passed to the same effect at the last session of the Legislature.

The committee therefore ask to be discharged from the further consideration of the same;

Which was received and agreed to.

Mr. Ford from the committee on education, to whom was referred a resolution requiring the committee to inquire into the expediency of memorializing Congress to grant certain lands in aid of

the 16th sections which are of less than medium value, and in cases where the 16th sections are located by Indian reservations, reported a memorial of the Legislature of the State of Mississippi to the Congress of the United States on that subject;

Which was received and agreed to,
And the memorial read the first time.

On motion of Mr. Ford,
The rule was suspended,
The memorial read the second and third time forthwith and adopted.

Mr. Hinds from the joint select committee on the part of the Senate and House of Representatives, to whom was referred a bill to be entitled,

An act to change the time of holding the circuit courts in the 7th judicial district, reported the same back to the House without amendment and recommended its passage;

Which was received and agreed to,
The bill read the third time,
And passed with its title as stated.

On motion of Mr. West of Holmes,
The vote taken on the passage of the resolution in relation to presenting to the soldiers of the first Mississippi Rifles their arms, &c., was reconsidered.

Sundry amendments being offered,
On motion of Mr. Whitmore,
The resolution and amendments were re-committed to the committee on military affairs.

On motion of Mr. Walker,
The special order entitled,
An act to change the time of holding the circuit courts in the 6th judicial district, was called up.

The House resolved itself into committee of the whole on said bill, Mr. Yerger in the chair.

After some time spent therein,
The committee rose, reported the bill back to the House with an amendment, and recommended its passage;

Which was received and agreed to.

On motion of Mr. Walker,
The amendment was considered as engrossed,

The bill read the third time,

And passed as amended.

On motion of Mr. Catchings,

Leave of absence was granted to Mr. White.

On motion of Mr. Neill,

Leave of absence was granted to Mr. Whitmore.

On motion of Mr. Houston,

Leave of absence was granted to Mr. McLaurin.

Mr. Abbott offered the following resolution:

Resolved, the Senate concurring, that this Legislature will adjourn *sine die* on the 26th day of February instant;

Which by rule lies one day on the table.

The Rev. Mr. Shaw, through Mr. Hancock, asked and obtained leave for the use of the Representative Hall on Sunday evening to preach in.

On motion of Mr. Cypert,

The House took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House resumed its session.

The Chair presented to the House the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, Jackson, Feb. 4, 1848.

To the Hon. J. J. McRae,

Speaker of the House of Representatives;

Sir—In obedience to the resolution of the House of Representatives this day communicated to me, instructing me to report to the House at an early day, the amount which has been paid out of the treasury of the State for the use of the penitentiary per annum since its establishment, and the amount received into the treasury from the penitentiary during the same time per annum up to the first day of January, 1848:

I have the honor to state, that it appears from the books of this office, that warrants have been issued on the treasury on account of the penitentiary from the time of its establishment up to the first day of January, 1848, as follows, to-wit:

In the year 1836,	.	.	.	.	\$10,000 00
" 1837,	.	.	.	.	10,000 00
" 1838,	.	.	.	.	26,000 00

"	1839,	-	-	-	-	34,322 00
"	1840,	-	-	-	-	34,046 07
"	1841,	-	-	-	-	2,255 96
"	1842,	-	-	-	-	14,015 25
"	1843,	-	-	-	-	13,860 46
"	1844,	-	-	-	-	6,137 36
"	1845,	-	-	-	-	5,031 83
"	1846,	-	-	-	-	15,861 96
"	1847,	-	-	-	-	13,691 57

Total expenditures, - - - \$175,222 46

I find there has been paid into the treasury by warrant, during the same period, as follows, viz:

For the year 1839,	-	-	-	-	\$200 00
" 1841,	-	-	-	-	2 30

Total receipt by warrant, \$202 30

Respectfully submitted,

GEO. T. SWANN,
Auditor of Public Accounts.

On motion of Mr. Henry,

It was referred to the joint select committee raised on leasing out the penitentiary.

On motion of Mr. Hinds,

The House concurred in the amendment made by the Senate to a resolution from the House in relation to the condition of the 2d Mississippi Rifles, and the battalion in New Orleans.

The Senate bill entitled,

An act to legalize the lease of 16th sections in Pike county,

Was read the first time.

On motion of Mr. Brumfield,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Slade,

The House concurred in the amendments made by the Senate to a bill from the House entitled,

An act to provide for the removal of the seat of justice in Yazoo county.

The Senate bill entitled,
 An act to enable the tax collectors more effectually to collect
 the revenue of this State,
 Was read the first time.

On motion of Mr. Whitfield,
 The rule was suspended,
 And the bill read the second time.
 Mr. Yerger offered an amendment.

On motion of Mr. Whitfield,
 The bill and amendment was referred to the committee on
 ways and means.

Mr. Yerger by leave, introduced a bill to be entitled,
 An act to incorporate the Deer Creek Rail Road Company;
 Which was read the first time.

On motion of Mr. Yerger,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

On motion of Mr. Sanders,
 The memorial of the Legislature of the State of Mississippi to
 the Congress of the United States now in session, praying the
 cession of certain public lands for the improvement of the navi-
 gation of Big Black river,

Was called from the orders of the day,
 Read the third time and passed.

On motion of Mr. Whitfield,
 The House bill entitled,
 An act granting a charter for a ferry at Barton,
 Was called from the orders of the day,
 Read the third time,
 And passed with its title as stated.

On motion of Mr. Catchings,
 The Senate bill entitled,
 An act to provide for the support of the poor in the city of
 Jackson,

Was called from the orders of the day,
 And read the second time.

Mr. Liddell offered the following amendment:

Amend 3d section, 5th line by striking out the word "exempt-
 ed" and inserting "excluded."

Mr. Henry moved the rejection of the amendment,
Which was lost.

The question was then taken on the adoption of the amendment,

And decided in the negative.

The rule being suspended,

The bill was read the third time,

And passed with its title as stated.

The Senate resolution appointing a joint select committee of three on the part of the Senate and — on the part of the House to enquire into the expediency of printing and publishing the public acts and resolutions only, was considered.

Mr. Simrall offered an amendment.

On motion of Mr. Wall,

The resolution and amendment was laid on the table.

On motion of Mr. Hamer,

The Senate bill entitled,

An act to change the time of holding the court of probates for Tippah and Tishemingo counties,

Was called from the table.

Mr. Arnold offered the following amendment:

Sec. 1, 3d and 4th lines—strike out "Tippah and Tishemingo counties shall be held on the" and insert "Tishemingo county shall be held on the second Monday of each and every month, and for Tippah county on the;"

Which was adopted.

On motion of Mr. Hamer,

The amendment was considered as engrossed,

The bill read the third time,

And passed as amended.

On motion of Mr. Alderson,

The House bill entitled,

An act to incorporate the Holly Springs rail road company,

Was called from the orders of the day,

Read the second time and ordered to be engrossed for a third reading on to-morrow.

The special order entitled,

An act to define the line between the 46th and 69th regiments of the Mississippi militia in Itawamba county,

Was read the third time,
And passed with its title as stated.

The special order entitled,

An act to repeal the 1st, 2d and 3d sections of an act to regulate the practice of the circuit courts, approved Feb. 22, 1840, and to amend the law in relation to forthcoming bonds, was,

On motion of Mr. Yerger,
Postponed until Thursday next 11 o'clock.

The special order entitled,

An act to provide for the sale of lands purchased by the State at tax sales was considered in committee of the whole, Mr. Whitfield in the chair.

After some time spent therein,

The committee rose, reported progress, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

On motion of Mr. Wall,

The bill was referred to a select committee of five.

The chair appointed as said committee, Messrs. Wall, Walker, Brooke, Lynch and Brown.

The special order entitled,

An act further to amend the several laws in relation to courts of probate, was considered in committee of the whole, Mr. Hancock in the chair.

After some time spent therein,

The committee rose, reported progress, and asked leave to sit again on to-morrow at 12 o'clock;

Which was received and agreed to.

On motion of Mr. Simrall,

Resolved, That the State Commissioner be requested to furnish this house with a statement of the amount of debt due the sinking fund—the names of the debtors—the several amounts of their indebtedness—whether by judgment or simple contract, and if by judgment, the date of the judgment, and the returns of sheriffs made upon any executions issued thereon—and any information he may have in relation to the solvency of the several debtors—and what number of acres of land, if any belong to said fund, and the probable value thereof, and in what county situated.

On motion of Mr. McWilliams,

The House adjourned until to-morrow morning 10 o'clock.

SATURDAY, FEBRUARY 5, 1848.

The House met pursuant to adjournment.

Mr. Wooldridge, from the standing committee on military affairs, made the following report:

MR. SPEAKER—The standing committee on the militia, to whom was referred the special message of the Governor in relation to the report of Col. Jefferson Davis, and the accompanying documents, have had the same under consideration, and have instructed me to make the following report:

That the committee believed it to be unnecessary to spread said report and documents upon the Journals of the House, for the reason that all the facts connected with the battles of Monterey and Buena Vista, and the part taken by the officers and soldiers of the first regiment of Mississippi rifles have heretofore been published, and they do recommend, instead thereof, that said report and documents be placed in the archives of the office of Secretary of State for future reference and preservation; and, that, to this end, the following resolution is offered to the House and its adoption requested:

Resolved by the legislature of the State of Mississippi, That the report of Col. Davis and his officers, of the first regiment of Mississippi rifles, in relation to the battles of Monterey and Buena Vista, and the accompanying documents, be placed in the archives of the office of the Secretary of State for future reference and preservation;

Which was received and agreed to;

And the resolution read the first time.

On motion of Mr. Wooldridge,

The rule was suspended,

And the resolution read the second and third time forthwith, and passed.

Mr. Ray, from the select committee to whom was referred a bill to be entitled an act to incorporate the town of Oakland, in Yalobusha county, reported the same back to the House with sundry amendments, and recommended its passage as amended;

Which was received and agreed to,

And the bill and amendments ordered to be engrossed for a third reading, to-morrow.

Mr. Cleveland, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to wit:

An act to provide for the removal of the seat of justice in Yazoo county;

A resolution of the Legislature of the State of Mississippi to the Congress of the United States relative to the condition of the second Mississippi rifles and the battalion in New Orleans;

An act to change the time of holding the Circuit Courts in the seventh judicial district;

An act for the relief of W. W. Smith of Ponola county;

And have found the same correctly enrolled.

Mr. Steger, from the select committee to whom was referred the petition of Thomas Blackburn for the relief of William Brandon, a free man of color, reported the same back to the House with a preamble and a bill to be entitled,

An act for the relief of William Brandon, a free man of color, and recommended the passage thereof;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Steger,

The rule was suspended,

And the bill read the second time.

On motion of Mr. Hinds,

The bill was rejected by yeas and nays, as follows:

Those who voted for its rejection, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Campbell of De Soto, Carroll, Clayton, Cleveland, Collier, Connell, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Ford, Garrett, Godfrey, Hall, Hamer, Harrington, Henry, Hill, Hinds, Hogue, Holden, Huie, Lynch, McWilliams, Melton, Myers, Nailor, Neely, Neill, Phillips, Ray, Sanders, Simrall, Slade, Steele, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Weathersby, West of Wayne, Whitfield and Wooldridge—57.

Those who voted against the rejection of the bill, are,

Messrs. Brooke, Brumfield, Bynum, Campbell of Franklin, Catchings, Cox, Cushman, Foote of Tippah, Fortson, Gatlin,

Hancock, Houston, Hurst, Johnston, Liddell, McAfee, McInnis, Metcalf, Moore, Nash, Noble, Smith, Stanton, Steger, Suratt, Walker, Wall, Weir, West of Holmes, Wilds, Williams and Wilson—32.

Mr. Ford, by leave, introduced a bill to be entitled,

An act to amend the several acts in relation to tippling and re-tailing;

Which was read the first time.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

Mr. Ford presented the petition of sundry citizens of the county of Carroll in relation to tippling house in said county; which,

On motion of Mr. Ford,

Was referred to the committee on the judiciary.

Mr. Ford, by leave, introduced a bill to be entitled,

An act to amend an act to free from taxation the soldiers of the revolutionary war, approved February 15, 1839;

Which was read the first time.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second time,

And referred to the committee on military affairs.

Mr. Ford, by leave, introduced a bill to be entitled,

An act to incorporate the Canton Insurance Company;

Which was read the first time.

Mr. Ford moved a suspension of the rule;

Which was lost.

Mr. Cleveland, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have presented to his excellency, the Governor, for his approval and signature, bills of the following titles, viz:

An act to authorise the Boards of Police of the counties of Jackson, Harrison and Hancock to grant license to individuals to erect and establish wharves in said counties, and for other purposes;

An act to incorporate the Board of Trustees of the Odd Fellows Hall at Natchez, Mississippi;

An act to incorporate Louisville Lodge No. 75 of Free and Accepted Masons, in the town of Louisville;

An act to authorise the Circuit Court of Leake county to sell certain judgments rendered therein for the cost of suit;

An act for the relief of Emily Thompson;

A resolution granting leave of absence to James Wellons;

An act for the relief of Henry Flowers, late tax assessor of Amite county;

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

An act for the relief of Archibald Milloy, of Covington county;

An act to incorporate the Camden Male Academy, in the county of Madison;

An act to incorporate the President and Trustees of the Aberdeen Female Academy, in the town of Aberdeen;

An act to authorise the Auditor of Public Accounts to purchase fuel for the officers of the Chancery Court and the High Court of Errors and Appeals.

The following message was received from his excellency the Governor, by Mr. Jones his private secretary:

MR. SPEAKER—I am instructed by his excellency, the Governor, to inform the House that he has approved and signed the following bills, to wit:

An act to attach fractional township two, of range twelve west, to Tunica county;

An act to incorporate Louisville Lodge No. 75 of Free and Accepted Masons, in the town of Louisville;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

An act for the relief of Emily Thompson;

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

An act to authorise the Auditor of Public Accounts to purchase fuel for the offices of the Chancery Court and the High Court of Errors and Appeals;

An act to authorise the Boards of Police of the counties of Jackson, Harrison and Hancock, to grant license to individuals to erect

and establish wharves in said counties and for other purposes;

An act for the relief of Henry Flowers, late tax assessor of Amite county;

An act to incorporate the Board of Trustees of the Odd Fellows Hall, Natchez, Mississippi;

An act to authorise the Circuit Court of Leake to sell certain judgments rendered therein for the cost of suits;

Approved February 4th, 1848.

On motion of Mr. Slade,

Leave of absence was granted Mr. Yerger for a few days.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills originating in the Senate of the following titles, to wit:

A bill to be entitled,

An act to incorporate the New Orleans and Ohio Telegraph Company;

A bill to be entitled,

An act to incorporate the officers and members of Vicksburg Division, No. 1, of the Sons of Temperance;

A bill to be entitled,

An act to divide the forty-eighth regiment of Mississippi militia;

A bill to be entitled,

An act to regulate the expenditure of the Auditor's contingent fund, and for the supply of the court rooms in the capitol;

A bill to be entitled,

An act to provide for the sale of the 500,000 acres of lands donated to the State of Mississippi, by the Congress of the United States, for purposes of internal improvement;

In all of which, I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act for the election of the clerk of the Superior Court of Chancery;

A bill to be entitled,

An act to abolish the office of State architect;

A bill to be entitled,

An act to amend the practice of the several courts of this State;

A bill to be entitled,

An act to enable the citizens of Vicksburg to build a pest house;

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as relates to the county of Harrison;

A bill to be entitled,

An act relative to executions and insolvent debtors;

A bill to be entitled,

An act relative to the militia laws of this State;

Mr. Houston, by leave, introduced a bill to be entitled,

An act to provide for publishing the decisions of the High Court of Errors and Appeals of this State;

Which was read the first time.

On motion of Mr. Houston,

The rule was suspended,

The bill read the second time.

Mr. Brooke moved, that the bill be referred to the judiciary committee;

Which motion was lost.

On motion of Mr. Simrall,

It was referred to the joint select committee heretofore raised on that subject.

Mr. Houston, by leave, introduced a bill to be entitled,

An act to provide for the appointment and compensation of clerks for the Legislature;

Which was read the first time.

On motion of Mr. Houston,

The rule was suspended,

The bill read the second time, and referred to the joint select committee hereafter to be raised on that subject.

Mr. Houston, by leave, introduced a bill to be entitled,

An act to dispose of the public buildings in Athens, Monroe county;

Which was read the first time.

On motion of Mr. Houston,

The rule was suspended,

The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Fortson, by leave, introduced a bill to be entitled,
An act to amend the road laws of this State;
Which was read the first time.

On motion of Mr. Fortson,

The rule was suspended,
The bill read the second time, and referred to the judiciary committee.

On motion of Mr. Fortson,

Resolved, That a committee of one from each of the counties of Monroe, Noxubee, and Chickasaw, be appointed to enquire into the expediency of amending or repealing an act entitled, an act to define the powers and duties of the board of police in said counties, approved 26th January, 1846.

The Chair appointed as said committee, Messrs. Fortson, Steele and Moore.

Mr. Alderson, by leave, introduced a bill to be entitled,
An act to extend the time of holding the probate court of Marshall county;

Which was read the first time,

On motion of Mr. Alderson,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Alderson, by leave, introduced a bill to be entitled,

An act to revise and amend the stray laws;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and referred to a select committee of five.

The Chair appointed as said committee, Messrs. Alderson, Wall, Nash, Hogue, and Noble.

Mr. Alderson, by leave, introduced a bill to be entitled,

An act further to provide for the public revenue;

Also, a bill to be entitled,

An act to amend the laws to provide for the public revenue;

Which were read the first time.

On motion of Mr. Alderson,

The rule was suspended,

The bills read the second time, and referred to the committee on ways and means.

Mr. Houston offered the following resolution:

Resolved, The Senate concurring, that a joint select committee of five, on the part of the House, and ———, on the part of the Senate, be raised for the purpose of enquiring into the propriety of reducing the number of under clerks employed by the Legislature;

On motion of Mr. Houston,

The rule was suspended,

And the resolution adopted.

The Chair appointed as said committee, on the part of the House, Messrs. Houston, Walker, Whitfield, Alderson, and Foote of Noxubee.

Mr. Phillips, by leave, introduced a bill to be entitled,

An act to amend the 1st. section of an act entitled an act to secure to the owners of slaves executed by sentence of law compensation for the same, approved February 18, 1846;

Which was read the first time.

Mr. Phillips asked for a suspension of the rules, which was refused.

On motion of Mr. Phillips,

Resolved, That the committee on ways and means be instructed to inquire into the expediency of providing the means to carry more fully into effect an act to furnish a uniform standard of weights and measures to the several counties of the State of Mississippi, approved March 4th, 1846.

Mr. Dilworth, by leave, introduced a bill to be entitled,

An act to amend an act entitled an act to incorporate the Lexington and Honey Island turnpike company, approved Feb. 26, 1846;

Which was read the first time.

On motion of Mr. Dilworth,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Johnston, pursuant to notice, moved for a reconsideration of the vote on the rejection of a bill to be entitled an act to attach a portion of the county of Tallahatchie to the county of Sunflower.

The question was taken, and decided in the negative.

The House resolved itself into committee of the whole on its special order, entitled an act further to amend the several laws of the State in relation to courts of probate,

Mr. Hancock in the chair;

After some time spent therein, the committee rose, reported the bill back to the House with sundry amendments, and recommended its passage as amended.

Which was received and agreed to.

On motion of Mr. Cushman,

The bill and amendments were ordered to be engrossed and made the special order of the day for Tuesday next, at 12 o'clock.

The following message was received from the Senate, by their messenger.

MR. SPEAKER—I am instructed to inform the House of Representatives that the amendments made by the House to the Senate bill, entitled an act to change the time of holding the courts of the 6th judicial circuit court district, have been concurred in by the Senate.

On motion of Mr. Liddell,

The House adjourned until Monday morning 10 o'clock.

MONDAY, FEBRUARY, 7, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. O. A. Shaw, of the Episcopal church.

Mr. Stanton presented the petition of James Foster, praying the passage of a law authorising him to remove certain property therein named, to the State of Louisiana; which,

On his motion,

Was referred to a select committee of three, consisting of Messrs. Stanton, Garrett and Steger.

Mr. Neill presented the petition of sundry citizens of police district No. 2, in Carroll county, praying the passage of an act authorising the justice of the peace of the town of Lafloure to hold his courts in said town;

Also, the petition of G. W. H. Brown, praying an appropriation for advertising certain lands therein named;

Which were referred to the committee on propositions and grievances.

Mr. Neill also presented the petition of sundry citizens of the county of Carroll, asking for a division of the 37th regiment of Mississippi militia;

Which was referred to the committee on military affairs.

Messrs. Steele, Nash, and Cushman, presented sundry claims;

Which were referred to the committee on claims.

Mr. Campbell of Desoto, presented the petition of Kittura E. Ford, praying for a divorce from the bonds of matrimony; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Campbell of Desoto, Steger, and Bardin.

Mr. Catchings presented the petition of sundry citizens of township 5, range 1 east, in Hinds county, praying the passage of a law authorising the transfer of the funds belonging to said township, to the trustees of the Jackson Male and Female Academy;" which,

On his motion,

Was referred to the committee on education.

Mr. Houston presented the petition of sundry citizens of the county of Itawamba, remonstrating against the passage of an act declaring Bull Mountain, a stream in said county, a navigable stream; which,

On his motion,

Was referred to the committee on internal improvements.

Mr. Houston, also, presented the petition of sundry citizens of the State of Mississippi, with a bill in relation to road laws; which,

On his motion,

Was referred to the judiciary committee.

Mr. Phillips presented the petition of James Mosley, W. S. Randolph, A. C. McEwin, and James W. Hill, praying the passage of an act, if constitutional, allowing our citizens now in Mexico, in the service of their country, the privilege of voting for the officers, both of the General and State Governments;

Which was laid on the table.

Mr. Wilson presented the petition of James Kelley, and sundry other citizens of the county of Panola, praying the passage of an

act to release said James Kelly from fine and imprisonment for a violation of the liquor law; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Dilworth presented the petition of James E. Matthews, with a bill authorising the Auditor of Public Accounts to settle with James E. Matthews; which,

On his motion,

Was referred to the committee on claims.

Mr. Cushman, from the judiciary committee, made the following report:

MR. SPEAKER—The committee on the judiciary committee, to whom was referred so much of the Governor's message as relates to the propriety of enacting a special appropriation law by each Legislature, for the payment of the judges, members of the Legislature, and other officers of the State, have had the same under consideration, and have instructed me to report unfavorably to said recommendation.

The committee are of opinion, that the laws fixing the salaries or pay of the various officers of the State, are ample authority to authorise the Auditor of Public Accounts to draw warrants in favor of the various officers for their compensation now fixed by law; and besides, the present custom of permitting the officers to draw their pay without any special appropriation, has been pursued from the organization our State government, and no serious inconvenience or damage to the State has occurred from the existing mode of appropriation; and therefore, the committee can see no necessity for any additional legislation on the subject, unless some evil was to be remedied, and pray to be discharged from the further consideration thereof;

Which was received and agreed to.

Mr. Cushman, from the same committee, made the following report:

MR. SPEAKER—The committee on the judiciary, to whom was referred a resolution requesting the Secretary of State to furnish each of the probate judges of the several counties in this State with one copy of Howard's Reports, and one copy of Smedes & Marshall's Reports of the State, have had the same under consideration, and instructed me to report unfavorably to said resolution,

because the probate clerk of each county is now entitled to a copy of said Reports for the use of their office, to which the judge can have access, and have requested me to report the same back to the House, and recommend that it do not pass, and prayed to be discharged from the further consideration thereof;

Which was received and agreed to.

Mr. Cushman, from the same committee, to whom was referred a bill to be entitled an act to establish an additional chancery district in the inferior court of chancery, reported the same back to the House with sundry amendments, and recommended its passage as amended;

Which was received and agreed to.

On motion of Mr. Campbell of Desoto,

The blank in the first amendment was filled with "1st Monday in June;" the bill considered as engrossed, read the third time, and passed as amended.

Mr. Wooldridge, from the standing committee on military affairs, to whom was referred the resolution of the House, instructing them to inquire into the expediency of reporting, by bill or otherwise, upon the propriety of furnishing to each captain in the State a copy of the militia laws, and a copy of military tactics, reported unfavorably, upon the ground that it would be a useless expenditure without any corresponding good;

Which was received and agreed to.

Mr. Nash, from the select committee to whom was referred the petition of Isaac M. Shelby, praying for a divorce, reported a preamble and bill to be entitled an act to absolve the bonds of matrimony between Isaac Morrow Shelby and Maria Delanie.

Mr. Nash moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving, and decided in the affirmative.

Mr. Nash then withdrew his motion to agree.

On motion of Mr. Neill,

Leave of absence was granted Mr. Wilds for a few days.

On motion of Mr. Nailor,

Leave of absence was granted Mr. Mason for a few days.

Mr. Wall, from the select committee, to whom was referred a bill to be entitled an act to provide for the sale of lands pur-

chased by the State for taxes, reported the same back to the House with an amendment by way of a new bill;

Which was received and agreed to;

And the bill, as amended, read the first time.

On motion of Mr. Wall,

The rule was suspended,

And the bill read the second time.

Mr. Metcalf offered the following amendment:

Amend by striking out the price at which said lands were sold at, and insert fifty cents per acre as the minimum price;

Which was lost.

Mr. Brooke offered the following amendment:

Sec. 13. *Be it further enacted*, That all persons claiming said lands, or any of them adversely to the State, shall be allowed the period of two years wherein to institute suits to assert their claims, and after the expiration of said two years, all claims for said lands adverse to the claim of the State and her assigns, shall be forever barred;

Which was adopted.

Mr Steele offered the following amendment:

Amend, by striking out "from and after the passage," and insert "from and after the first of March, 1848;

Which was adopted.

Mr. Dilworth offered the following amendment:

Sec. 12. *Be it further enacted*, That in the event the title from the State should prove defective, said purchaser shall be entitled to demand and receive from the rightful owners aforesaid, compensation for all necessary improvements made thereon;

Which was adopted.

Mr. Brooke offered the following amendment:

Sec. 11. *Be it further enacted*, That each of said clerks, before entering on the discharge of the duties prescribed by this act, shall enter into bond with security in a sum equal to double the amount of taxes and costs assessed on said lands in their respective counties, conditioned to pay over to the auditor all moneys so received by them, which said bond shall be approved by the judge of probate of the proper county; and said clerks shall, in their aforesaid advertisement, specify that the said lands are subject to redemption by the owners until the day of sale, as above provided for;

Which was adopted.

On motion of Mr. Wall,

The bill, as amended, was ordered to be engrossed for a third reading on tomorrow.

Mr. Echols, by special leave and pursuant to notice, introduced a bill to be entitled, an act to regulate the admission of physicians and surgeons to the practice of medicine and surgery in the State of Mississippi;

Which was read the first time.

On motion of Mr. Catchings,

The rule was suspended,

And the bill read the second time.

Mr Weir moved that the bill be referred to the judiciary committee;

Which was lost.

Mr. Whitfield moved that the bill be rejected;

Which motion was lost by yeas and nays as follows:

Those who voted for rejecting are,

Messrs. Abbott, Arnold, Bardin, Brumfield, Carroll, Cleveland, Clayton, Collier, Connell, Cypert, Dampier, Davis, Dilworth, Duke, Ellis, Foote of Tippah, Garrett, Gatlin, Hancock, Holden, McWilliams, Melton, Metcalf, Neely, Neil, Ray, Stanton, Steele, Suratt, Thames, Valentine, Walker, Wall, Weir, West of Wayne, Whitfield, Williams, and Wooldridge—38.

Those who voted against rejecting, are

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Bynum, Campbell of Desoto, Campbell of Franklin, Catchings, Cox, Cushman, Echols, Foote of Noxubee, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Harrington, Henry, Hill, Hinds, Houston, Huie, Hurst, Johnston, Liddell, McAfee, McInnis, Moore, Myers, Nailor, Nash, Noble, Phillips, Powell, Simrall, Slade, Smith, Steger, Thomas of Marshall, Thomas of Yazoo, Torrey, Foulme, Trigg, Weathersby, West of Holmes, and Wilson—50.

Mr. Echols moved that it be referred to a select committee of seven.

Mr. Hamer moved, that the House resolve itself into committee of the whole on the consideration of said bill, forthwith;

Which was lost.

Mr. Echols' motion then prevailed, and the bill referred to a select committee of seven.

The Chair appointed as said committee, Messrs. Echols, Catchings, Hancock, Whitfield, Ford, Ray, and Campbell of Franklin.

Mr. Walker offered the following resolution:

Resolved, That the Auditor of Public Accounts be requested to lay before the House, a statement showing the amount that has been received from the Treasury of the State on account of the Natchez Hospital, from its erection up to this time, and for what purposes appropriated

Which was adopted.

Mr. Stanton from the select committee, to whom was referred the petition of James Foster, reported a bill to be entitled, an act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sarah G. Foster;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Henry by leave, offered the following joint resolution:

Resolved, the Senate concurring, that the joint select committee, appointed to inquire into the expediency of leasing out the penitentiary, be and they are hereby authorized in the discharge of their duty, to send for persons and papers, and compel their appearance before them.

On motion of Mr. Henry,

The rule was suspended,

And the resolution adopted.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have adopted the following joint resolution, to-wit:

Resolved, the House concurring, a joint select committee be raised to consist of three on the part of the Senate and — on the part of the House, who shall be charged with the duty of inquiring into the necessity and expediency of creating a new judicial district in this State in order the more effectually to remedy the inconvenience and to extend equal justice to that portion of the State bordering on the Mississippi river, and have appointed as

said committee on the part of the Senate, Messrs. Guion, Alcorn and Kennedy;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named;

A bill to be entitled,

An act to change the time of holding the circuit courts in the third judicial district of this State;

A bill to be entitled,

An act to amend the revenue law of this State.

The President of the Senate did on Saturday sign the acts from the House of the following titles, to-wit:

An act to provide for the removal of the seat of justice in Yazoo county;

An act to amend an act entitled an act to incorporate the Canton and Jackson rail road company, approved 1st Feb. 1841;

An act to incorporate the trustees of Eureka Masonic College, at Richland, Holmes county;

The Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to amend an act entitled an act to incorporate the Locopolis rail road company, approved 18th Feb. 1846;

A bill to be entitled,

An act for the relief of Richard G. Steele;

A bill to be entitled,

An act to regulate the practice of the circuit courts in certain cases;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bill from the House of the following title, to-wit:

A bill to be entitled,

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have examined bills of the following titles, to-wit:

An act to provide for the support of the poor in the city of Jackson;

An act to legalize the lease of sixteenth sections in Pike county;

An act to change the times of holding the courts of the sixth judicial circuit court district;

And have found the same correctly enrolled.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have concurred in the amendment made by the House to a bill from the Senate entitled an act to change the time of holding the court of probates in Tippah and Tishewingo counties.

The Senate have passed the bills from the House of the following titles, to-wit:

A bill to be entitled,

An act to dispose of the public buildings in Athens, Monroe county;

A bill to be entitled,

An act to amend an act to incorporate the Lexington and Honey Island turnpike company, approved Feb. 26, 1846;

A bill to be entitled,

An act to extend the time of holding the probate court of Marshall county;

A bill to be entitled,

An act granting a charter for a ferry at Barton;

A bill to be entitled,

An act to define the line between the forty-sixth and fifty-ninth regiments of the Mississippi militia in Itawamba county.

The Senate have passed the memorial from the House of the following title, to-wit:

A memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river.

The Senate have passed the resolution from the House of the following title, to-wit:

A resolution of the Legislature of the State of Mississippi in relation to the report of Col. Jefferson Davis.

A message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed a bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed a bill from the House of Representatives to be entitled,

An act to incorporate the Deer Creek rail road company.

Mr. Alderson from the joint standing committee on enrolled bills made the following report, to-wit:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to amend an act entitled an act to incorporate the Canton and Jackson rail road company, approved Feb. 1, 1841;

An act to incorporate the trustees of Eureka Masonic College, at Richland, Holmes county;

An act to provide for the removal of the seat of justice in Yazoo county;

An act to change the time of holding the circuit courts in the seventh judicial district in this State.

Mr. Wall by leave, called up the resolution from the Senate to raise a joint committee to inquire into the expediency of printing and publishing the public acts and resolutions only.

On motion of Mr. Simrall,

The blank in said resolution was filled with the number five.

On motion of Mr. Simrall,

The House concurred in the resolution.

The Chair appointed as said committee on the part of the House, Messrs Wall, Simrall, Liddlell, Thomas of Marshall, and Valentine.

On motion of Mr. Walker,

The House adjourned until three o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The Senate bill entitled,

An act to incorporate the New Orleans and Ohio Telegraphic company,

Was read the first time.

On motion of Mr. Wall,

The rule was suspended,

The bill read the second and third time,

And passed with its title as stated.

The Senate bill entitled,

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States for purposes of internal improvement,

Was read the first time.

On motion of Mr. Hinds,

The rule was suspended,

And the bill read the second time.

Mr. Campbell of De Soto, moved that the bill be made the special order of the day in committee of the whole on Tuesday the 15th instant at 11 o'clock;

Which was decided in the negative.

Mr. Weir moved that it be made the special order for Monday next at 11 o'clock;

Which was decided in the negative.

On motion of Mr. Whitfield,

The bill was made the special order of the day on Thursday next at 11 o'clock in committee of the whole.

The Senate bill entitled,

An act to regulate the expenditure of the Auditor's contingent fund and for the supply of the court rooms in the capitol,

Was read the first time.

The Senate bill entitled,

An act to incorporate the officers and members of Vicksburg Division No. 1, Sons of Temperance,

Was read the first time.

On motion of Mr. Thomas of Yazoo,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,
 An act to divide the 48th regiment of Mississippi militia,
 Was read the first time.

On motion of Mr. Hinds,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act for the relief of Richard G. Steele,
 Was read the first time.

On motion of Mr. Whitfield,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act to amend an act entitled an act to incorporate the Lo-
 copolis rail road company, approved 18th Feb. 1846,
 Was read the first time.

On motion of Mr. Foree,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act to regulate the practice of circuit courts in certain cases,
 Was read the first time.

On motion of Mr. Houston,
 The rule was suspended,
 The bill read the second time and laid on the table.

On motion of Mr. Houston,
 The House bill entitled,
 An act to amend an act to organize and establish circuit courts
 and define their powers and jurisdiction in law and equity, approv-
 ed March 2, 1833,

Was called from the orders of the day,
 Read the third time,
 And passed with its title as stated.
 The Senate bill entitle,
 An act to provide for the sale of lands purchased by the State
 at tax sales,
 Was read the first time.

On motion of Mr. Wall,

The rule was suspended,

The bill read the second time and laid on the table.

The Senate resolution raising a joint select committee to inquire into the expediency of creating a new judicial district,

Was read the first and second time forthwith.

On motion of Mr. Thomas of Marshall,

The resolution was indefinitely postponed.

Mr. Slade moved to call from the orders of the day No. 52, being a bill to be entitled,

An act for the relief of Jefferson J. Hughes;

Which was lost.

The House bill entitled,

An act for the relief of Edward Martin,

Was read the third time,

And passed with its title as stated.

The House bill entitled,

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county,

Was read the third time,

And passed with its title as stated.

The House bill entitled,

An act to incorporate the town of Danville in the county of Tishemingo,

Was read the third time,

And passed with its title as stated.

The House resolution in relation to the administration of James K. Polk,

Was read the second time referred to the committee of State and Federal relations.

The House resolution instructing and directing the Treasurer of the State to receive from the government of the United States certain moneys therein named,

Was read the third time.

On motion of Mr. Wall,

The resolution in relation to that subject introduced by him,

Was called from the table.

Mr. Metcalf moved that the resolution be laid on the table until the first of August next;

Which was decided in the negative by yeas and nays as follows:

Those who voted in the affirmative, are,

Messrs. Abbott, Arnold, Bardin, Brumfield, Campbell of Desoto, Clayton, Connell, Cushman, Dilworth, Duke, Foote of Tippah, Foree, Hamer, Hill, Hinds, Hogue, Liddell, McWilliams, Melton, Metcalf, Neely, Neill, Noble, Ray, Steger, Stewart, Suratt, Torrey, Trigg, Valentine—30.

These who voted in the negative are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Bynum, Carroll, Catchings, Cleveland, Collier, Cox, Cypert, Dampier, Davis, Echols, Ellis, Ford, Fortson, Gatlin, Harrington, Holden, Houston, Johnston, McAfee, McInnis, Myers, Nailor, Nash, Phillips, Powell, Saunders, Simrall, Slade, Smith, Thames, Thomas of Marshall, Thomas of Yazoo, Toulme, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Whitfield, Williams and Wilson—48.

Mr. Whitfield offered the following amendment:

“Provided that nothing contained in the above resolution shall be construed into an approval by this Legislature of the right of Congress to distribute amongst the several states the proceeds of the sales of the public lands.

Pending said amendment,

On motion of Mr. Campbell of De Soto,

The House adjourned until to-morrow morning 10 o'clock.

TUESDAY, FEBRUARY 8, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Hoskins of the city of Jackson.

The Speaker presented the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, }
Jackson, February 7, 1848. }

Hon. J. J. McRae,

Speaker of the House of Representatives:

SIR—In obedience to the resolution of the House of Representatives of this date in relation to the Natchez Hospital, I have the

honor to report the following sums received from the treasury of the State on account of the Natchez Hospital in virtue of the semi-annual appropriations for its benefit by the act of the legislature for that purpose, approved February 14, 1839.

April 10, 1839.	To J. A. Lyle, President &c.,	.	2,500	00
Oct. 10,	" " " " " "	.	2,500	00
April 10, 1840,	" E. P. Pollard,	- -	2,500	00
Oct. 7,	" Samuel Cotton, President,	-	2,500	00
April 3, 1841,	" " " " "	- -	2,500	00
Nov. 6,	" " " " " "	- -	2,500	00

\$15,000 00

At the time of the passage of the above act the name of the hospital was changed to that of the State Hospital of Mississippi at Natchez. No individual account has been kept in the name of the institution, and I am not able to find any other warrants issued in its favor.

The President of the institution was required by the act of 1839, (acts 1839 p. 292) to transmit annually to the Governor a full report and statement of the receipts and expenditures of said hospital, &c.

There is no information in this office so far as I can find, for what purposes the said moneys were appropriated.

I have the honor to be, very respectfully,

Your obedient servant,

GEORGE T. SWANN,

Auditor of Public Accounts.

Which being read,

On motion of Mr. Walker,

Was laid on the table.

The Speaker presented a communication from Hartwell Carver, accompanied with a pamphlet, on the subject of a rail road from Lake Michigan to the Pacific Ocean;

Which was referred to the committee on state and federal relations, without reading.

Mr. Huie, from the committee on propositions and grievances, to whom was referred the petition of John L. Davis, reported a bill to be entitled,

An act for the relief of John L. Davis;

Which was received and agreed to,
And the bill read the first time.

On motion of Huie,
The rule was suspended,
And the bill read the second time.

On motion of Mr. Wall,
The House resolved itself into committee of the whole, forth-
with, on said bill; Mr. Wall in the chair. After spending some
time therein, the committee rose, reported the bill back to the
House without amendment and recommended its passage.

Mr. Wall moved that the report be received and agreed to.

A division being called for, the question was first taken on re-
ceiving,

And decided in the affirmative;

Was then taken on agreeing,

And decided in the negative by yeas and nays, as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Arnold, Brumfield, Bynum, Campbell of
De Soto, Campbell of Franklin, Cox, Cypert, Dilworth, Duke,
Foote of Tippah, Foree, Harrington, Henry, Hinds, Hogue, Hol-
den, Huie, Hurst, Johnston, Liddell, Lynch, McInnis, McWilliams,
Metcalf, Nash, Simrall, Slade, Stanton, Steele, Suratt, Thames,
Torrey, Toulme, Walker, Wall, Weir, West of Wayne, White-
and Williams—40.

Those who voted in the negative, are,

Messrs. Abbott, Alderson, Bardin, Bond, Brooke, Brown, Car-
roll, Catchings, Clayton, Collier, Connell, Cushman, Dampier,
Davis, Echols, Ellis, Foo'e of Noxubee, Ford, Garrett, Gatlin,
Godfrey, Hall, Hamer, Hill, McAfee, Melton, Moore, Myers,
Nailor, Neely, Neill, Noble, Phillips, Powell, Ray, Sanders,
Smith Steger, Stewart, Thomas of Marshall, Thomas of Yazoo,
Valentine, Weathersby, Whitfield and Wooldridge—45.

The following message was received from his excellency, the
Governor, by Mr. Jones, his private secretary:

MR. SPEAKER—I am instructed by his excellency, the Governor,
to inform the House that he has approved and signed the following
bills, to wit:

A resolution granting leave of absence to James Wellons, ap-
proved Febraary 5th, 1848;

Also an act to amend an act, entitled an act, to incorporate Canton and Jackson Rail Road Company, approved Feb. 1st, 1841;

An act to incorporate the Trustees of Eureka Masonic College, at Richland, Holmes county;

An act to provide for the removal of the seat of justice in Yazoo county, approved February 7th, 1848.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have examined bills of the following titles, viz:

An act granting a charter for a ferry at Barton;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance and other societies and companies;

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 26th, 1846;

An act to extend the time of holding the Probate Court of Marshall county;

An act to define the line between the forty-sixth and fifty-ninth regiments of the Mississippi militia in Itawamba county;

An act to dispose of the public buildings in Athens, Monroe county;

A resolution of the legislature of the State of Mississippi in relation to the report of Col. Jefferson Davis;

A memorial of the legislature of the State of Mississippi to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river;

An act to change the time of holding the Court of Probates for Tippah and Tishomingo counties;

And have found the same correctly enrolled.

Mr. Huie, from the committee on propositions and grievances to whom was referred the petition of William Halliburton, reported a bill to be entitled,

An act for the relief of William Halliburton;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Campbell of Desoto,

The rule was suspended,

And the bill read the second time.

Mr. Catchings offered the following amendment:

Provided that no citizen of said county shall be compelled to pay such tax without his or her consent; which,

**On motion of Mr. Campbell,
Was rejected.**

Mr. Lynch offered the following amendment:

Provided that nothing in this act contained shall be construed into an approval of the manner in which he was executed; which,

**On motion of Mr. Ford,
Was rejected.**

**On motion of Mr. Campbell of De Soto,
The rule was further suspended,
The bill read the third time,
And passed with its title as stated.**

Mr. Nash, from the select committee to whom was referred the petition of the people of Coahoma county, asking for a removal of the county seat of said county, reported a bill to be entitled,

An act for the permanent location by the citizens of the county seat of Coahoma county;

**Which was received and agreed to,
And the bill read the first time.**

**On motion of Mr. Nash,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.**

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of a bill of the following title, to wit:

A bill to be entitled,

An act to authorise Robert B. Miller to remove the property of Clarence Miller out of the limits of this State.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to incorporate the town of Spring Hill, in the county of Tippah;

A bill to be entitled,

An act for the relief of W. B. Cavanah;

A bill to be entitled,

An act supplemental to an act, entitled an act to change the time of holding the Circuit Courts in the seventh judicial district in this State;

A bill to be entitled,

An act for the benefit of the Aberdeen Female Academy;

A bill to be entitled,

An act to amend the laws relating to writs of injunction, *ne exeat* and *supersedeas*;

A bill to be entitled,

An act to incorporate the Mutual Life Insurance Company of Mississippi;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have concurred in the following joint resolution from the House, to wit:

Resolved, the Senate concurring, That a joint select committee of five on the part of the House and — on the part of the Senate be raised for the purpose of inquiring into the propriety of reducing the number of under clerks employed by the legislature, and have filled the blank in said resolution with the number three, and have appointed as said committee, on the part of the Senate, Messrs. Harrison, Beene and Price.

The Senate have passed the bills from the House of the following titles, to wit:

A bill to be entitled,

An act to authorise the citizens of Hancock county to locate the seat of justice of said county, and for other purposes, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the House of Representatives;

A bill to be entitled,

An act to amend an act, entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town.

Mr. Connell, from the joint select committee to whom was referred that portion of the Governor's message as relates to printing an additional number of the acts of the legislature and the journals of the two houses, reported the following resolution:

Resolved by the Legislature of the State of Mississippi, That that there shall be hereafter printed five hundred copies of the acts of each session thereof in addition to the two thousand now authorised by law, to be delivered to the Secretary of State, to be distributed as the law directs,

Which was received and agreed to,

And the resolution read the first time.

On motion of Mr. Connell,

The rule was suspended,

And the resolution read the second time.

Mr. Cushman offered the following amendment:

Amend by adding after the word authorised by law, also three hundred additional copies of the journals of each branch of the legislature.

Mr. Simrall moved that the resolution with the amendment be laid on the table;

Which was decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative are,

Messrs. Abbott, Alderson, Bardin, Brooke, Catchings, Cox, Cypert, Foote of Noxubee, Foote of Tippah, Ford, Godfrey, Henry, Houston, Hurst, Johnston, Nailor, Neely, Neill, Noble, Phillips, Powell, Sanders, Simrall, Slade, Smith, Steger, Thomas of Marshall, Weir, White, Whitfield—30.

Those who voted in the negative, are,

Mr. Speaker, Messrs. Arnold, Bond, Brown, Brumfield, Bynum, Campbell of De Soto, Campbell of Franklin, Carroll, Clayton, Collier, Connell, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Garrett, Gatlin, Hall, Hamer, Harrington, Hill, Hinds, Hogue, Holden, Liddell, McAfee, McInnis, McWilliams, Melton, Metcalf, Moore, Ray, Stanton, Steele, Stewart, Suratt, Thames, Thomas of Yazoo, Torrey, Toulme, Valentine, Walker Weathersby and Wooldridge—48.

The question was then taken on the amendment of Mr. Cushman and decided in the affirmative.

Mr. Simrall offered the following amendment:

Provided that the Public Printers shall not be allowed more than one dollar and seventy cents per page for the number of pages in one volume or copy of the Acts, and sixty-two cents per page for the number of pages in one copy of the Journals.

Mr. Henry moved that the resolution be recommitted to the same committee.

Mr. Brooke called for the previous question.

Mr. Dilworth moved that the call for the previous question be laid on the table;

Which was decided in the affirmative.

Mr. Connell offered the following amendment by way of substitute:

Resolved, That the State Printers be required to print 500 additional copies of the Acts of the Legislature of the present session, for which they shall be allowed \$1 75 per page, for as many pages as are contained in one copy; and 300 additional copies of the Journals of each house of the legislature, for which the Printers shall be allowed 62½ cents per page each for as many pages as may be contained in a single copy of the Journals of each of said houses.

Mr. Houston moved that the House adjourn until half after 2 o'clock.

Mr. Nash moved that the House adjourn until half after 7 o'clock;

Which motions were lost.

The question was then taken on Mr. Henry's motion to recommit the resolution and decided in the negative.

Mr. Catchings offered the following amendment to the substitute:

Provided further, that all but the acts of a general nature shall be printed by their titles alone.

Mr. Simrall offered the following amendment to the substitute:

Provided that no other acts shall be printed than such as shall be indicated by law in force at the adjournment of the present session of the legislature.

Mr. Ford moved that the House adjourn until 3 o'clock;

Which motion was lost.

Mr. Henry moved that the resolution and amendments be indefinitely postponed;

Which was decided in the affirmative, by yeas and nays, as follows:

Those who voted in the affirmative, are,

Messrs. Abbott, Alderson, Brooke, Brumfield, Campbell of De Soto, Campbell of Franklin, Carroll, Catchings, Clayton, Collier, Cox, Cypert, Dampier, Echols, Ellis, Foote of Tippah, Ford, Fort-

son, Foote of N., Foote of T., Godfrey, Hall, Henry, Houston, Huie, Hurst, Johnston, McInnis, Metcalf, Myers, Nailor, Nash, Neely, Neill, Noble, Phillips, Powell, Sanders, Simrall, Smith, Steger, Thomas of Marshall, Torrey, Trigg, Wall, Weathersby and White—46.

Those who voted in the negative, are,

Mr. Speaker, Messrs. Arnold, Bardin, Bond, Brown, Bynum, Cleveland, Connell, Cushman, Davis, Dilworth, Duke, Garrett, Gatlin, Hamer, Harrington, Hill, Hinds, Hogue, Holden, Liddell, Lynch, McAfee, McWilliams, Melton, Moore, Ray, Slade, Stanton, Steele, Stewart, Suratt, Thames, Thomas of Yazoo, Toulme, Valentine, Walker, Weir, Whitfield, Williams, Wilson, Wooldridge—41.

Mr. Whitfield moved that the House adjourn until 3 o'clock.

Mr. Nash moved an adjournment until 7½ o'clock; which was lost.

Mr. Ford moved an adjournment until 5 o'clock; which was lost.

On motion of Mr. Whitfield,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Walker, by leave, called from the orders of the day, a bill to be entitled,

An act to reduce the number and pay of officers of the legislature;

Which was read the second time; and,

On his motion,

Referred to the joint select committee heretofore appointed on that subject.

Mr. Simrall, by special leave, introduced a bill to be entitled,

An act to amend the several laws of this State prescribing the mode of proceeding against incorporated banks and against other persons pretending to exercise corporate franchises under acts of incorporation, and for other purposes;

Which was read the first time.

On motion of Mr. Simrall,

The rule was suspended,

The bill read the second time,

And referred to the committee on the judiciary.

Mr. Metcalf, by special leave, introduced a bill to be entitled,

An act to incorporate the town of Hillsboro in Scott county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Foree moved to call from the orders of the day a bill in relation to the Slack-water Navigation Company;

Which was not sustained.

The unfinished business was then taken up, to wit:

The resolution directing the Treasurer of the State to receive from the government of the United States certain moneys therein named.

On motion of Mr. Walker,

The House resolved itself forthwith into committee of the whole on said resolution, Mr. Liddell in the Chair.

After some time spent therein, the committee rose and reported the resolution back to the House without amendment and recommended that it do not pass;

Which was received.

Mr. Wall moved that the report of the committee of the whole be disagreed to;

Which was decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Bynum, Campbell of Franklin, Carroll, Catchings, Clayton, Collier, Cox, Cypert, Dampier, Davis, Echols, Ellis, Ford, Fortson, Gatlin, Godfrey, Henry, Holden, Houston, Huie, Hurst, Johnston, Lynch, McAfee, McInnis, Myers, Nailor, Noble, Phillips, Powell, Sanders, Simrall, Slade, Steele, Steger, Thames, Thomas of Marshall, Toulme, Trigg, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Whitfield, Williams, Wilson and Wooldridge—56.

Those who voted in the negative, are,

Messrs. Abbott, Arnold, Bardin, Brumfield, Campbell, of De Soto, Connell, Dilworth, Duke, Foote of Tippah, Foree, Garrett, Hamer, Hancock, Harrington, Hill, Hinds, Hogue, Liddell, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Ray, Stewart, Suratt, Torrey, Valentine—29.

Mr. Campbell of De Soto, offered the following amendment, to wit: Amend by striking out all after the words "resolved by the legislature of the State of Mississippi" and insert "that the proceeds arising from the sales of the public lands which have been apportioned to this State by the Congress of the United States, properly belong to the revenues of the general government, and that we disclaim all right, title, claim and interest in and to said funds, and respectfully suggest to Congress to apply said funds which have been set apart for this State to a vigorous prosecution of the existing war with Mexico.

Mr. Cypert moved the rejection of the amendment.

Before any action on said motion,

Mr. Connell moved that the whole subject be indefinitely postponed;

Which was decided in the negative by yeas and nays, as follows, viz:

Those who voted in the affirmative, are,

Messrs. Abbott, Arnold, Bardin, Brumfield, Campbell of De Soto, Cleveland, Connell, Cushman, Dilworth, Duke, Foree, Garrett, Hamer, Hancock, Harrington, Hinds, Hogue, Liddell, Lynch, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Ray, Steele, Stewart, Suratt, Torrey, Trigg and Valentine—32.

Those who voted in the negative, are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Bynum, Campbell of Franklin, Carroll, Catchings, Clayton, Collier, Cox, Cypert, Dampier, Davis, Echols, Ellis, Foote of Noxubee, Ford, Fortson, Gatlin, Godfrey, Henry, Hill, Holden, Houston, Huie, Hurst, Johnston, McAfee, McInnis, Myers, Nailor, Noble, Phillips, Powell, Sanders, Simrall, Slade, Smith, Stanton, Steger, Thames, Thomas of Marshall, Toulme, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Whitfield, Williams, Wilson and Wooldridge—56.

The question then recurred on the motion to reject the amendment offered by Mr. Campbell of De Soto.

Pending said question, the House,

On motion of Mr. Walker,

Adjourned until to-morrow morning 10 o'clock.

WEDNESDAY, FEBRUARY 9, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Rev. Mr. Shaw of the Episcopal church.

Mr. Bond presented the petition of sundry citizens of Harrison county, praying for the passage of an act for the removal of the county seat of said county, and for other purposes; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Bond, Davis, and Toulme.

Mr. Bond presented the petition of sundry citizens of Harrison county, praying the passage of an act for the protection of the oyster banks bordering on the bay; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Bond, Davis, and Toulme.

Mr. Brooke presented the petition of Wm. T. Courts, a citizen of Holmes county, praying the passage of an act to surrender certain lands purchased by the State at tax sale; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Johnston presented sundry claims, which were referred to the committee on claims.

Mr. Ford presented the petition of sundry citizens of the county of Madison, praying the passage of an act giving to the Camden Male Academy, the proceeds, in money, arising from license granted by the board of police, of Madison county, for the retailing of spiritous liquors in the town of Canton; which,

On his motion,

Was referred to the committee on education.

Mr. Henry presented the petition of Edward Wells, praying the passage of an act for his relief, in relation to certain lands for which petitioner had paid taxes to the tax collector of Madison county, and said lands were sold by the tax collector of Hinds county; which,

On motion of Mr. Henry,

Was referred to the committee on propositions and grievances.

Mr. Steger presented the petition of the board of trustees of Marshall Institute, praying the passage of an act incorporating said institute, and for other purposes; which,

On his motion,

Was referred to the committee on education.

Mr. Steger presented the petition of sundry citizens of Mount Pleasant and vicinity, praying the passage of an act authorising the citizens of said town and vicinity to erect a calaboose, and that the officers of the county of Marshall use the same as a common jail; which,

On motion of Mr. Steger,

Was referred to a select committee of three.

The Chair appointed on said committee, Messrs. Steger, Campbell of Desoto, and Melton.

Mr. Wooldridge, from the committee on military affairs, to whom was recommitted its report and the resolutions in reference to the presentation, by the State, of a rifle to each one of the discharged soldiers of the 1st regiment of Mississippi Rifles, reported the following resolutions in lieu thereof:

Resolved by the Legislature of the State of Mississippi, That as a token of the high regard and approbation of the people of the State, each discharged soldier of the 1st regiment of Mississippi Rifles be, and he is hereby permitted to retain the rifle and accoutrements used by him in the campaign against Mexico, in which he so gloriously distinguished himself, and which is hereby presented to him in the name of the State of Mississippi.

And be it further resolved, That the Governor of the State be authorised and required to cause an enrolment to be made of all the soldiers in said 1st regiment, who fell in battle, or who died in the service, or were discharged from sickness or other disability, and who did not receive a rifle when so discharged; and that he present to the nearest relatives of such deceased persons, and to such discharged soldiers as may now be alive, or to their agents or representatives, in their name, a silver medal, with the name of the soldier, and the battles in which he fought, together with the words "by the State of Mississippi," engraved thereon.

And be it further resolved, That the Governor of this State be authorised, and he is hereby required, upon the discharge of the

2d Mississippi regiment and the 1st battalion, now in Mexico, and on the route to Mexico, to present, in the name of the State, to each discharged soldier, one of the rifles and its accoutrements which he may have borne in the service of his country;

Which was received and agreed to,

And the resolutions read the first time.

On motion of Mr. Wooldridge,

The rule was suspended,

And the resolutions read the second time.

On motion of Mr. Wall,

The House resolved itself into committee of the whole, forthwith, on said resolutions,

Mr. Liddell in the chair.

After spending sometime therein, the committee rose, and reported the resolutions back to the House with an amendment, by striking out the third resolution; and recommended the passage of the resolution as amended.

On motion of Mr. Liddell,

The report was received.

Mr. Liddell moved to amend the report of the committee, so as to reinstate the third resolution;

Which was decided in the negative, by yeas and nays, as follows:

Those who voted in the affirmative, are

Messrs. Bynum, Campbell of Desoto, Catchings, Fortson, Hammer, Houston, Huie, Liddell, McAfee, Neill, Steele, Thames, Wilson, and Wooldridge—13.

Those who voted in the negative, are

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brooke, Brown, Brunfield, Campbell of Franklin, Carroll, Clayton, Cleveland, Collier, Connell, Cox, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Garrett, Gatlin, Godfrey, Hall, Henry, Hill, Hinds, Hogue, Holden, Johnston, Lynch, McInnis, McWilliams, Melton, Metcalf, Moore, Nailor, Neely, Noble, Phillips, Powell, Saunders, Sumrall, Slade, Smith, Stanton, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, West of Wayne, White and Whitfield—69.

The report of the committee was then agreed to.

Mr. Dilworth offered the following amendment:

Amend by striking out the second resolution;

Which was lost.

Mr. Hamer offered the following amendment:

Provided, That no soldier of the 1st regiment shall be entitled to a medal, unless he has actually been in one of the battles in Mexico, in which said regiment was engaged;

Which was lost.

The question was then taken on the adoption of the first resolution and decided in the affirmative.

It was then taken on the adoption of the second resolution, and decided in the affirmative, by yeas and nays, as follows:

Those who voted in the affirmative, are

Mr. Speaker, Messrs. Bond, Brooke, Bynum, Catchings, Cleveland, Collier, Cox, Cushman, Dampier, Davis, Ellis, Foote of Noxubee, Ford, Force, Fortson, Garrett, Godfrey, Hall, Henry, Hill, Hogue, Holden, Huie, Johnston, Lynch, McAfee, McInnis, Metcalf, Myers, Nailor, Neill, Noble, Philips, Powell, Sanders, Simrall, Slade, Smith, Stanton, Steger, Suratt, Thames, Thomas of M., Thomas of Yazoo, Toulme, Valentine, Walker, Wall, Weir, West of Wayne, West of Holmes, White, Wilson, and Wooldridge—55.

Those who voted in the negative, are

Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Brumfield, Campbell of Desoto, Campbell of Franklin, Clayton, Connell, Cypert, Dilworth, Duke, Echols, Foote of Tippah, Gatlin, Hamer, Hinds, Liddell, McWilliams, Melton, Moore, Neely, Ray, Steele, Stewart, Torry, Trigg, Weathersby, and Whitmore—30.

Mr. Echols, from the select committee, to whom was referred a bill to be entitled an act to regulate the admission of physicians and surgeons to the practice of medicine and surgery in the State of Mississippi, reported the same back to the House, with sundry amendments thereto, and recommended its passage as amended;

Which was received and agreed to,

And the bill, as amended, ordered to be engrossed for a third reading on tomorrow.

The following message from the Senate, by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate did, on this day, sign the acts from the House of the following, titles, to wit:

An act to define the line between the forty-sixth and fifty-ninth regiments of the Mississippi militia, in Itawamba county;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies;

An act to extend the time of holding the probate court of Marshall county;

An act granting a charter for a ferry at Barton;

An act to amend an act to incorporate the Lexington and Honey Island Turnpike company, approved February 26, 1846;

An act to dispose of the public buildings, in Athens, Monroe county;

Also, a resolution of the Legislature of the State of Mississippi, in relation to the report of Col. Jefferson Davis;

Also, a memorial of the Legislature of the State of Mississippi, to the Congress of the United States, now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river;

The Senate have granted leave to the introduction of a bill of the following title, to-wit:

A bill to prevent the obstruction of navigable streams.

Mr. Neely from the select committee, to whom was referred a bill to be entitled,

An act to define the boundary line of Neshoba county, and for other purposes, reported the same back to the House and recommended that it do not pass;

Which was received and agreed to.

Mr. Godfrey moved that the orders of the day be dispensed with, for the purpose of introducing a resolution;

Which motion was lost.

Mr. Cox moved that the orders of the day be dispensed with, to take up the bill in relation to the Natchez Hospital;

Which motion was lost.

The unfinished business was then up, and the motion of Mr. Cypert, pending on the adjournment of the House last evening, to reject the amendment offered by Mr. Campbell of De Soto, as a substitute to the resolution directing the Treasurer of the State to receive from the government of the United States certain moneys therein named,

Was taken and decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brumfield, Bynum, Carroll, Catchings, Clayton, Cleveland, Collier, Cox, Cypert, Davis, Echols, Ellis, Foote of Noxubee, Ford, Fortson, Garrett, Gatlin, Godfrey, Henry, Hill, Holden, Houston, Huie, Johnston, McAfee, McInnis, Moore, Myers, Nailor, Noble, Phillips, Powell, Sanders, Simrall, Slade, Smith, Steele, Steger, Thames, Thomas of Marshall, Toulme, Walker, Wall, Weathersby, West of Wayne, White, Whitfield, Wilson, and Wooldridge—55.

Those who voted in the negative are,

Messrs. Abbott, Arnold, Bardin, Campbell of De Soto, Campbell of Franklin, Connell, Cushman, Dilworth, Duke, Foote of Tippah, Force, Hall, Hamer, Hinds, Liddell, Lynch, McWilliams, Melton, Metcalf, Neely, Neill, Ray, Stanton, Stewart, Suratt, Thomas of Yazoo, Torrey, and Valentine—27.

Mr. Hinds offered the following amendment:

Resolved further, That nothing herein contained shall be construed into an approbation of the distribution act of 1841, but that it is the deliberate opinion of this Legislature that said act was an infraction of the constitution of the United States, not sanctioned by any sound principle of policy, and that the direct tendency of the same was to produce a deficiency in the treasury, and to create the necessity for an increase of the tariff.

Mr. Godfrey moved to lay the amendment on the table.

On motion of Mr. Hinds,

A call of the House was had.

Upon calling the roll it appeared that Messrs. Neill and Nash were the only absentees without leave.

On motion of Mr. Liddell,

The sergeant-at-arms was directed to bring in the absentees.

Mr. Wall moved that the call be suspended;

Which was lost.

Mr. Whitfield having submitted an explanation,

On his motion,

The further call was suspended.

The question was then taken on the motion of Mr. Godfrey to lay the amendment on the table,

And decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Messrs. Brooke, Catchings, Clayton, Collier, Cox, Foote of Noxubee, Ford, Fortson, Godfrey, Henry, Houston, Johnston, McInnis, Myers, Nailor, Powell, Sanders, Simrall, Slade, Smith, Wall, Weathersby, Weir, West of Wayne, West of H. and White—26

Those who voted in the negative are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Brumfield, Bond, Bynum, Campbell of De Soto, Carroll, Cleveland, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke Echols, Ellis, Foote of Tippah, Foree, Garrett, Gatlin, Hall, Hamer, Hill, Hinds, Hogue, Holden, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Moore, Neely, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Whitfield, Wilson, and Wooldridge—58.

Mr. Whitfield offered the following amendment to the amendment,

Strike out the words "an infraction of the constitution of the United States" and insert after the word "was" the following, "of doubtful constitutionality and."

The question was taken on the adoption of the amendment,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Abbott, Bardin, Bond, Brooke, Brown, Bynum, Campbell of De Soto, Carroll, Catchings, Clayton, Cleveland, Collier, Cox, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of Noxubee, Ford, Fortson, Garrett, Godfrey, Henry, Hill, Houston, Huie, Johnston, Liddell, Lynch, McAfee, McInnis, Metcalf, Moore, Myers, Nailor, Neill, Noble, Phillips, Powell, Sanders, Simrall, Slade, Smith, Stanton, Steele, Steger, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Wall, Weathersby, West of Wayne, West of Holmes, White, Whitfield, Wilson and Wooldridge—64.

Those who voted in the negative are,

Messrs. Abbott, Arnold, Brumfield, Campbell of Franklin, Connell, Cushman, Dilworth, Foote of Tippah, Foree, Gatlin, Hall, Hamer, Hinds, Hogue, McWilliams, Melton, Neely, Ray, Stewart, Suratt and Weir—21.

Mr. Wall offered the following amendment:

Strike out all after the figures "1841."

The question was taken on striking out,

And decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Messrs. Brooke, Catchings, Collier, Cox, Foote of Noxubee, Ford, Gatlin, Henry, Johnston, McInnis, Myers, Nailor, Sanders, Simrall, Slade, Smith, Wall, Weir, West of Wayne, West of Holmes, and White—21.

Those who voted in the negative are,

Mr. Speaker, Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Campbell of De Soto, Campbell of Franklin, Carroll, Clayton, Cleveland, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Ellis, Echols, Foote of Tippah, Foree, Fortson, Garrett, Godfrey, Hall, Hamer, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Thames, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Wilson and Wooldridge—65.

The question was then taken on the adoption of the amendment offered by Mr. Hinds as amended,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Campbell of De Soto, Carroll, Clayton, Cleveland, Connell, Cox, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Fortson, Garrett, Godfrey, Hall, Hamer, Hill, Hinds, Hogue, Holden, Houston, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Powell, Ray, Sanders, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Wilson, and Wooldridge—66.

Those who voted in the negative are,

Messrs. Campbell of Franklin, Catchings, Collier, Cypert, Foote of Tippah, Ford, Henry, Johnston, McInnis, Myers, Nailor, Simrall, Slade, Smith, Wall, Weir, West of Wayne, West of Holmes, and White—20.

Mr. Moore offered the following amendmend:

Amend by striking out the second resolution.

Mr. Godfrey moved the indefinite postponement of the whole subject;

Which was lost.

Mr. Hamer moved that the House take a recess until 3 o'clock;

Which was lost.

The question was then taken on the amendment of Mr. Moore, to strike out the second resolution,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Campbell of Desoto, Campbell of Franklin, Clayton, Cleveland, Collier, Connell, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Hill, Hinds, Hogue, Houston, Huie, Liddell, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Valentine, Walker, Whitfield, Wilson and Wooldridge—57.

These who voted in the negative are,

Messrs. Brooke, Bynum, Catchings, Cox, Cypert, Ellis, Foote of Noxubee, Ford, Henry, Holden, Johnston, Lynch, McAfee, McInnis, Myers, Nailor, Noble, Powell, Saunders, Simrall, Slade, Smith, Thames, Toulmie, Wall, Weathersby, Weir, West of Wayne, West of Holmes, and White—30.

Mr. Cushman offered the following amendment:

Amend by striking out the first resolution.

Pending said amendment,

On motion of Mr. Walker,

The House adjourned until half past 3 o'clock P. M.

Mr. Huie being entitled to the floor.

HALF PAST THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills

have presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act to incorporate the Lexington and Honey Island turnpike company, approved Feb. 26, 1846;

An act to dispose of the public buildings in Athens, Monroe county;

An act to extend the time of holding the probate court of Marshall county;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance and other societies and companies;

An act granting a charter for a ferry at Barton;

A resolution of the Legislature of the State of Mississippi to the Congress of the United States relative to the condition of the second Mississippi Rifles and the Battalion in New Orleans;

A resolution of the Legislature of the State of Mississippi in relation to the report of Col. Jefferson Davis;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river;

An act to change the time of holding the courts of the sixth judicial circuit court district;

An act to provide for the support of the poor in the city of Jackson;

An act to change the time of holding the court of probates of Tippah and Tishomingo counties;

An act for the relief of James S. Prichard, John B. Moore and Nathan B. Whitehead;

An act to legalize the lease of sixteenth sections in Pike county.

MR. SPEAKER—The joint standing committee on enrolled bills have examined bills of the following titles, to-wit:

An act to amend an act entitled an act to incorporate the town of Monticello, approved Feb. 6, 1827, and to define the corporate limits of said town;

An act for the relief of Richard G. Steele;

An act to amend an act entitled an act to incorporate the Locopolis rail road company, approved Feb. 18, 1846;

An act to divide the 48th regiment Mississippi militia;

An act to incorporate the officers and members of Vicksburg Division No. 1, of the Sons of Temperance;

An act to incorporate the New Orleans and Ohio telegraphic company;

An act to incorporate the Deer Creek rail road company;

And have found the same correctly enrolled.

The unfinished business was then considered, and the question recurred on the adoption of the amendment offered by Mr. Cushman, to-wit:

Amend by striking out the first resolution;

Which was decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Messrs. Arnold, Abbott, Bardin, Brumfield, Campbell of De Soto, Campbell of Franklin, Carroll, Connell, Cushman, Dilworth, Duke, Echols, Foote of Tippah, Foree, Gatlin, Hall, Hill, Hinds, Hogue, Liddell, Lynch, McWilliams, Melton, Metcalf, Neely, Neill, Ray, Stanton, Steele, Stewart, Suratt, Thomas of Yazoo, Torry, Trigg, Valentine and Whitmore—36.

Those who voted in the negative are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Bynum, Catchings, Clayton, Cleveland, Collier, Cox, Cypert, Dampier, Davis, Ellis, Foote of Noxubee, Ford, Fortson, Garrett, Godfrey, Harrington, Henry, Holden, Houston, Huie, Johnston, McAfee, McInnis, Moore, Myers, Nailor, Noble, Phillips, Sanders, Simrall, Slade, Smith, Steger, Thames, Thomas of Marshall, Toulme, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Whitfield, Wilson, and Wooldridge—51.

The question was then taken on the adoption of the resolution as amended,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker. Messrs. Alderson, Bond, Brooke, Brown, Bynum, Carroll, Catchings, Clayton, Cleveland, Collier, Cox, Cypert, Dampier, Davis, Ellis, Foote of Noxubee, Ford, Fortson, Garrett, Godfrey, Harrington, Henry, Holden, Houston, Huie, Johnston, McAfee, McInnis, Moore, Myers, Nailor, Noble, Nash, Phillips, Sanders, Simrall, Slade, Smith, Steger, Thames, Thomas of Marshall, Toulme, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Whitfield, Wilson, and Wooldridge—53.

Those who voted in the negative are,

Messrs. Abbott, Arnold, Bardin, Brumfield, Campbell of De

Soto, Campbell of Franklin, Connell, Cushman, Dilworth, Duke, Echols, Foote of Tippah, Foree, Gatlin, Hall, Hamer, Hill, Hinds, Hogue, Liddell, Lynch, McWilliams, Melton, Metcalf, Neely, Neill, Ray, Stanton, Steele, Stewart, Suratt, Thomas of Yazoo, Torrey, Trigg, Valentine, and Whitmore—36.

On motion of Mr. Simrall,

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY, FEBRUARY 10, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Rev. Mr. Frazee of the city of Jackson.

Mr. Huie from the committee on propositions and grievances, to whom was referred the petition of James Kelley, praying relief against a certain grievance therein mentioned, reported that the relief desired by said petition cannot be afforded by the Legislature, but that the power to grant relief in such cases is vested in the executive, and asked to be discharged from the further consideration of said petition;

Which was received and agreed to.

Mr. Wilson asked leave to withdraw said petition;

Which was granted.

Mr. Huie from the same committee, to whom was referred the communication of G. W. H. Brown, asking the passage of an act authorizing the Auditor to settle with him for certain services as printer, reported that it was inexpedient to recommend the passage of the act desired, inasmuch as it appears from a statement of the Auditor that a full settlement has been made with the tax collector of the county of Carroll for printer's fees, according to the act of 1844.

Mr. Huie moved that the report be received and agreed to.

A division of the question being called for,

Was first taken on receiving, and decided in the affirmative.

On motion of Mr. Whitmore,

The report was laid on the table.

Mr. Huie from the same committee, to whom was referred the petition of sundry citizens of the county of Carroll, praying the

passage of an act authorizing and requiring the justices of the peace in beat No. 2, in said county, to hold separate courts in separate portions of said beat, reported that it is inexpedient to grant the prayer of said petition, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

On motion of Mr. Huie,

The report of the committee on propositions and grievances, in relation to the petition of Garrett Ford,

Was called from the table.

Mr. Campbell of De Soto, presented the correspondence of ex-Governor McNutt, with Garrett Ford, in relation to the subject matter of said petition;

Which being read,

Mr. Campbell moved that the whole matter be recommitted to the committee on propositions and grievances, with instructions to report a bill for the relief of Garrett Ford.

Mr. Huie moved that the petition be referred to the committee of the whole house at 3 o'clock, P. M.;

Which motion was lost.

Mr. Whitfield moved to amend the instructions by further instructing the committee to reduce to writing any verbal statement that may be made to the committee;

Which was adopted.

The question was then taken on the motion of Mr. Campbell of De Soto, to recommit,

And decided in the negative.

On motion of Mr. Campbell of De Soto,

The whole matter was laid on the table.

Mr. Steele from the select committee, to whom was referred the bill creating a new county to be called the county of Quitman, made the following report:

MR. SPEAKER—The select committee, to whom was referred the bill creating a new county, to be called the county of Quitman, have had the same under consideration, and a majority of said committee have instructed me to report the bill back and recommend that it do not pass;

Which report was received.

Messrs. Steele and Weir, from the minority on said committee, made the following report:

MR. SPEAKER—A portion of the select committee, to whom was referred the bill for the creation of a new county, to be called the county of Quitman, have had the same under consideration, and have instructed us to report it back with an amendment, and recommend its passage, for the following reasons, viz:

A large proportion of the territory proposed to be formed into the new county, lies in the counties which your committee have the honor in part to represent, and had this committee been composed of members from the several counties interested, in proportion to the territory to be taken from each, there would have been a very large majority in favor of the passage of the bill.

The majority report, therefore, cannot be a fair test of the wishes of the petitioners. The committee would, also, bring to the consideration of the Legislature, the enormous size of the northern counties, which were formed when the country was sparsely settled, and with a view to concentrate as far as possible the business of the country at a few favored places. The country is now, in many places densely populated, and it is particularly so in the territory proposed to be formed into a new county; there are living in said bounds not less than 800 votes, many of whom have represented to this House, by the petition, their grievances, by living, so remote from their respective seats of justice.

There is one fact which your committee are desirous of bringing to the particular attention of the Legislature: that is, the place proposed for the new county is the only place in the State where a constitutional new county can be formed, and yet not interfere with the county sites and constitutional area of the adjoining counties.

Then the conclusion is forced upon us, that when so many worthy citizens would be benefitted by the passage of the bill, and no injustice to any, it ought to pass. All of which is respectfully submitted.

Which report was received.

Mr. Cushman moved that the report of the majority be agreed to;

Which was decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Arnold, Bardin, Bond, Brown, Brumfield,

Carroll, Clayton, Collier, Connell, Cox, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Ford, Foree, Garrett, Gatlin, Godfrey, Hall, Hamer, Harrington, Hill, Hinds, Hogue, Holden, Houston, Huie, McAfee, McInnis, McWilliams, Melton, Moore, Myers, Nailor, Neely, Phillips, Simrall, Steger, Stewart, Thames, Thomas of Marshall, Torrey, Trigg, Valentine, Wall, West of Wayne, Wilson, and Yerger—55.

Those who voted in the negative are,

Messrs. Abbott, Brooke, Bynum, Cleveland, Fortson, Henry, Liddell, Lynch, Metcalf, Nash, Neil, Ray, Sanders, Slade, Stanton, Steele, Suratt, Thomas of Yazoo, Walker, Weathersby, Weir, West of Holmes, White, Whitfield, Whitmore, and Williams—26.

Mr. Cushman moved that the report of the minority be disagreed to;

Which was decided in the affirmative.

The hour having arrived for the House to proceed to the consideration of the orders of the day,

Mr. Hinds moved that the orders of the day be suspended for the purpose of introducing a resolution;

Which was lost.

Mr. Stanton moved that the orders of the day be suspended for the purpose of calling from the table the bill in relation to making an appropriation to the State Hospital at Natchez;

Which was decided in the affirmative.

The question was taken on agreeing to the report of the committee of the whole on said bill formerly made;

Which was decided in the affirmative.

Mr. Cox offered the following:

Amend by inserting in place of \$2,000 annually, \$1,333½ annually.

Mr. Walker moved that the bill and amendment be referred to a select committee;

Which was lost.

Mr. Campbell of Franklin, moved that the House adjourn until tomorrow morning, 10 o'clock;

Which was lost.

Mr. Stewart moved that the House take a recess until 3 o'clock;

Which was lost.

Mr. Echols called for the reading of the report of the superintendent of the Natchez Hospital;

Objections to the reading being made,

The question was then taken on reading the report, and decided in the negative.

The question was then taken on the amendment offered by Mr. Cox, and decided in the affirmative.

Mr. Metcalf offered the following amendment:

Amend by striking out "four thousand dollars," and insert "two thousand dollars;"

Which was lost.

On motion of Mr. Simrall,

The bill and the amendment were considered as engrossed, read the third time and passed as amended by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Brumfield, Bynum, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Cleveland, Collier, Cox, Cushman, Cypert, Dampier, Davis, Ellis Foote of Noxubee, Ford, Fortson, Gatlin, Godfrey, Hall, Hancock, Harrington, Henry, Hill, Holden, Huston, Huie, Johnston, Lynch, McAfee, McInnis, Metcalf, Myers, Nailor, Nash, Noble, Phillips, Ray, Simrall, Slade, Smith, Stanton, Steele, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Valentine, Wall, Weir, West of Wayne, West of Holmes, White, Williams, Wilson, Wooldridge and Yenger—65.

Those who voted in the negative are,

Messrs. Abbott, Arnold, Bardin, Clayton, Connell, Dilworth, Duke, Echols, Foote of Tippah, Garrett, Hamer, Hinds, Hogue, Liddell, McWilliams, Melton, Moore, Neely, Neill, Sanders, Surratt, Walker, Weathersby, Whitfield, and Whitmore—25.

Mr. Whitfield moved that the House adjourn until 3½ o'clock.

Mr. Campbell of Franklin, moved that the House adjourn until 10 o'clock tomorrow morning;

Which was lost.

The question was then taken on Mr. Whitfield's motion, to adjourn until 3½ o'clock, and decided in the affirmative.

HALF PAST THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town;

An act to incorporate Deer Creek Rail Road Company;

An act for the relief of Richard G. Steele;

An act to divide the forty-eighth regiment of Mississippi militia;

An act to incorporate the officers and members of Vicksburg Division, No. 1, of the Sons of Temperance;

An act to amend an act entitled an act to incorporate the Locopolis Rail Road Company, approved Feb'y. 18, 1846;

An act to incorporate the New Orleans and Ohio Telegraph Company;

The following message was received from the Senate, by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act supplementary to an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

A bill to be entitled,

An act to establish Keaton's Ferry on the Tombigbee river;

In which, I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on this day, sign the acts from the House of the following titles, to wit:

An act to incorporate Deer Creek Rail Road Company;

An act entitled an act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town.

The Senate have passed the bills from the House of the following titles, to wit:

A bill to be entitled,

An act for the relief of Edward Martin;

A bill to be entitled,

An act to incorporate the town of Hillsborough, of Scott county.

The Senate have passed the memorial from the House of the following title, to wit:

A memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled, and have made an amendment thereto, in which I am instructed to desire the concurrence of the House of Representatives.

The Senate have concurred in the following resolution from the House, to wit:

Resolved, The Senate concurring, that the joint select committee appointed to enquire into the expediency of leasing out the Penitentiary be, and they are hereby authorised, in the discharge of their duty, to send for persons and papers, and compel their appearance before them.

The House proceeded to the consideration of the special order:

A bill to be entitled,

An act further to amend the several laws of the State in relation to courts of probate.

Mr. Weir offered the following amendment:

Amend by additional section,

Sec. — *Be it enacted*, That any person holding a claim against the estate of any decedent, may prove the same before any justice of the peace, who shall append thereunto a certificate of the oath by him administered to the witness or witnessess, and certify the same, which claim shall be submitted to the probate judge of the county in which the claimant may reside, or the county in which the deceased resided at the time of the decease; and if upon examination, he deems it just, he shall write across the face thereof, "examined and allowed," together with his official signature, which proof and approval shall be considered as good and valid as if the proof had been made before the probate judge;

Which was lost.

Mr. Huie offered the following amendment:

Be it further enacted, That hereafter, no executor or administrator shall be authorised to pay any claim against the estate of any deceased person, unless the same is first probated according to the provisions of this act, and any claim so paid, without such probate, shall not be allowed as a credit in the final settlement of such executor or administrator;

Which was lost.

The bill was then read the third time,

And passed with its title as stated.

On motion of Mr. Hinds,

The regular business was suspended and the Senate bill to be entitled an act supplemental to an act to change the time of holding the circuit courts in the 7th judicial district of this State,

Was called from the table, and read the first time.

On his further motion,

The rule was suspended,

And the bill read the second and third time, forthwith,

And passed with its title as stated.

The House resolved itself into committee of the whole on its special order, the Senate bill, to be entitled an act to repeal the first, second and third sections of an act to regulate the practice of the circuit courts, approved February 22d, 1840, and to amend the law in relation to forthcoming bonds;

Mr. Whitfield in the Chair,

After some time spent therein, the committee rose, reported progress, and, asked leave to sit again tomorrow, at 3 o'clock;

Which was received and agreed to.

On motion of Mr. Hinds,

The House adjourned until to-morrow morning 10 o'clock.

FRIDAY, FEBRUARY 11, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Reverend Mr. Frazee of the City of Jackson.

Mr. Whitmore presented the petition of W. Y. Collins, a citizen of the county of Carroll, praying the passage of an act emancipating a certain negro man therein named; which,

On his motion,

Was referred to the judiciary committee.

Mr. Nash presented the petition of Jane Herrod praying the passage of an act permitting her to remove the assets of a certain estate therein mentioned, which petition was accompanied with a bill to be entitled,

An act for the relief of Jane Herrod and the heirs of Charles B. Herrod; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed on said committee Messrs. Nash, Catchings and Thomas of Yazoo.

Mr. Bond presented the petition of sundry citizens of the county of Harrison, praying the legislature to grant license to one Arnat Duteon to hawk and peddle throughout the State; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Bond, Walker and Davis.

Mr. Bond presented the petition of sundry citizens of Pass Christian in the county of Harrison, praying the passage of an act incorporating said town; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed on said committee, Messrs. Bond, Davis and Toulme.

Messrs. Johnston, Alderson and Wilson presented sundry claims, Which were referred to the committee on claims.

Mr. Johnston, by leave, offered the following resolution:

Resolved, That the committee on ways and means be instructed to inquire into the expediency of extending the time of assessment of property until the first day of October in each year; and that the committee be further instructed to inquire into the expediency of changing the time of commencing the collection of taxes from the 15th November, as now provided by law, until the first day of January in each year;

Which was adopted.

On motion of Mr. Cypert,

The report of the Auditor of Public Accounts was called from

the table and referred to the committee on public printing.

Mr. Cypert offered the following joint resolution:

Resolved, (the Senate concurring,) That the joint select committee on public printing be and they are hereby required to inquire into the expediency of so changing the law in relation to public printing, that the same may be let out to the lowvst bidder on terms similar to the late act of Alabama, and that they report by bill or otherwise;

Which was adopted.

Mr. Lynch presented the petition of W. H. Batte, a citizen of Rankin, praying the passage of an act authorising the President and Trustees of the sixteenth section, township five, range three east, to make him a title to a certain town lot therein mentioned; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed on said committee Messrs. Lynch, Hill and Bond.

Message from the Senate:

MR, SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to increase the pay of jurors in the counties of Lawrence and Marion;

A bill to be entitled,

An act further to prohibit the selling or giving to slaves, spirituous or intoxicating liquors;

A bill to be entitled,

An act for the relief of Ellen Cherry.

The Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to define the duties of the Board of county Police of Tippah county and for other purposes;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Shieldsboro and for other purposes, which is amended by the way of a ryder;

In all of which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills from the House of the following titles to-wit:

A bill to be entitled,

An act to remove the civil disabilities of Jackson Darden, minor, of Jefferson county;

A bill to be entitled,

An act to incorporate the town of Danville in the county of Tishemingo, and have made amendments thereto;

In which I am instructed to desire the concurrence of the House.

On motion of Mr. Simrall,

Leave of absence was granted to Mr. Wall during his indisposition.

The following message was received from the Governor by Mr. Jones, his private secretary, to-wit:

I am instructed by his excellency, the Governor, to inform the House, that he has approved and signed the following bills, to-wit:

An act to extend the time of holding the Probate Courts of Marshall county;

An act granting a charter for a ferry at Barton;

A resolution of the legislature of the State of Mississippi in relation to the report of Col. Jefferson Davis;

A resolution of the legislature of the State of Mississippi to the Congress of the United States relative to the condition of the second Mississippi rifles and the battalion in New Orleans;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance and other societies and companies.

An act to define the line between the forty-sixth and fifty-ninth regiments of the Mississippi militia in Itawamba county;

An act to dispose of the public buildings in Athens, Monroe county;

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 26, 1846;

An act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February 1827, and to define the corporate limits of said town.

Approved February 10th, 1848.

On motion of Mr. Godfrey,

Resolved, 1st, That a committee of three be appointed by this House to examine the books, papers, vouchers and accounts of the Auditor and Treasurer's office and make a detailed report thereon.

Resolved, 2d, That the Auditor of Public Accounts be required to report to this House what amount, if any, appears on the books of his office to the credit of the three per cent. fund; and that the Treasurer report to this House what amount of said funds is in the treasury, and when paid in.

The Chair appointed as said committee, Messrs. Godfrey, Alderson and West.

On motion of Mr. West,

Messrs. Ford, Cleveland, Fortson and Dilworth were added to said committee.

On motion of Mr. Weir,

Resolved, That the judiciary committee be instructed to take into consideration the propriety of establishing a law in this State providing for the trial by three or more magistrates and a jury empannelled and sworn for such purpose, of all crimes committed by persons who are slaves for life and free negroes of color, in all cases which are, under the existing mode, subject to trial in the Circuit Courts of this State.

Mr. Liddell offered the following resolution, viz:

Resolved, That no new matter shall be introduced into this branch of the legislature after Monday next, and that a call of the counties for any purpose after that day be dispensed with; which,

On his motion,

Was laid on the table.

Mr. Cushman, by leave, introduced a bill to be entitled,

An act to amend the several laws of this State regulating the proceedings and practice of the High Court of Errors and Appeals and for other purposes;

Which was read the first time.

On motion of Mr. Cushman,

The rule was suspended,

The bill read a second time forthwith,

And referred to the committee on the judiciary.

Mr. Abbott, by leave, introduced a bill to be entitled,

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

Which was read the first time.

On motion of Mr. Abbott,
The rule was suspended,
The bill read the second time forthwith,
And referred to the committee on the judiciary.

Mr. Trigg, by leave, introduced a bill to be entitled,

An act to authorise P. W. Hemphill, James Liddell, *et. al.*, to erect a bridge or ferry over Big Black river and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same; which was read the first time.

On motion of Mr. Huie,
The rule was suspended,
And the bill read the second time.

Mr. Connell offered an amendment by additional section reserving the right to the legislature to repeal, alter or amend the same at pleasure;

Which was adopted.

Mr. Godfrey offered an amendment prohibiting the company from impeding the passage of boats on said stream;

Which was adopted.

On motion of Mr. Huie,
The bill as amended was considered as engrossed,
The rule suspended,
The bill read the third time forthwith,
And passed with its title as stated.

Mr. Brooke, by leave, introduced a resolution granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers;

Which was read the first time.

On his motion
The rule was suspended,
The resolution read the second and third time and adopted.

Mr. Foote of Noxubee, by leave, introduced a bill to be entitled,

An act to extend the time of holding the Probate Court of Noxubee county;

Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Steele, by leave, introduced a bill to be entitled,

An act to incorporate the Houston Division No. 25 of the Sons of Temperance, in the town of Houston, Chickasaw county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Arnold, by leave, introduced a bill to be entitled,

An act to dispose of the surplus copies of the reports of the High Court of Errors and Appeals, and the Chancery Reports now in the State Library;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to a select committee of five.

The Chair appointed as said committee, Messrs. Arnold, Campbell of De Soto, Neill, Yerger and Thames.

Mr. Stanton, by leave, introduced a bill to be entitled,

An act to amend an act entitled an act to reduce into one the several acts concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans, and other representatives of deceased persons, passed November 23d, 1821;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to the committee on the judiciary.

Mr. Suratt asked and obtained leave to withdraw the petition of J. L. Davis.

Mr. Harrington, by leave, introduced a bill to be entitled,

An act to authorise Peter B. Starke, his heirs and assigns to erect a toll bridge, &c.;

Which was read the first time.

On his motion

The rule was suspended,

And the bill read the second time.

On motion of Mr. Liddell,

The bill was referred to committee of the whole House on tomorrow.

Mr. Toulme, by leave, introduced a bill to be entitled,

An act to change the time of holding the regular term of the Police Court of Hancock county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. West of Holmes,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the 26th section of an act to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes, approved February 24th, 1844, so as to make it incumbent upon the purchaser of real estate sold for the payments of taxes due and in arrear prosecute his, her or their title acquired by such purchaser at such sale, within one year after the expiration of the time limited for the redemption of land sold by the provision of said act; in all cases when the original owner of such lands may be in the possession thereof at the time of such prosecution, or such purchaser shall lose all right and title acquired by such purchaser and the same shall inure to and vest in the original owner of such land; *provided* that all persons in actual possession of said lands sold for taxes by tax collectors at the time of said sale be exempt from the above provision.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have examined bills of the following titles, viz:

An act to incorporate the town of Hillsboro, of Scott county;

An act for the relief of Edward Martin;

And have found the same correctly enrolled.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bill of the following title:

A bill to be entitled,

An act to provide for the leasing of the Chickasaw school lands;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. White, by leave, introduced a bill to be entitled,

An act to extend the right of suffrage to the officers, soldiers and volunteers of the army in Mexico;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

Mr. McAfee, by leave, introduced a bill to be entitled,

An act to provide for the authentication of deeds, bills of sale, powers of attorney and relinquishments of dower made and executed in any other State;

Which was read the first and second time, and referred to the committee on the judiciary.

Mr. Ford, by leave, introduced a bill to be entitled,

An act to require the Chancellor of this State to hold terms of his court at Vicksburg, Canton, and Paulding, &c.;

Which was read the first and second time,

And referred to a select committee composed of a member from each of the counties included in the bill.

The Chair appointed as said committee, Messrs. Ford, Nailor, Powell, Yerger, Smith, Wilds, Metcalf, Hall, McAfee, Thomas of Yazoo, Johnston, Lynch, Valentine, Dampier, Thames, Clayton, Collier and Noble.

The Speaker presented the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, }
Jackson, February 10, 1848. }

Hon. J. J. McRae,

Speaker of the House of Representatives:

SIR—Since my report to the House of Representatives in relation to the balances due from tax collectors in the State, I have had an interview with W. S. Bailey, Esq., of Madison county, who stood charged on the books with a balance of \$1315 24 of the taxes of that county for 1845. He informs me that until my report on this case he was not at all aware that there was any balance against him, and has this day been allowed his commissions on the amount and made payments of the balance into the treasury.

Mr. Bailey has manifested deep mortification to have his name reported as a defaulter, and having promptly paid the balance into the treasury as soon as he found it existed, he requests me, as an act of justice to him, to report the fact to your honorable body, in order that his case may stand fairly on its journal.

I have the honor to remain,
Respectfully your ob't serv't.,

GEO. T. SWANN,

Auditor of Public Accounts.

Mr. Yerger by leave, introduced a bill to be entitled,
An act for the benefit of T. S. Likens of Washington county;
Which was read the first time.

On his motion,

The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Henry asked leave to introduce a petition;
Which was not granted.

On motion of Mr. Toulme,

The House concurred in the amendment made by the Senate to the House bill entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county and for other purposes.

On motion of Mr. Dilworth,

The amendments made by the Senate to the House bill to incorporate the town of Danville in the county of Tishemingo, were concurred in.

The Senate bill entitled,

An act to amend the laws relating to writs of injunction *ne exeat* and supersedeas,

Was read the first time.

On motion of Mr. Hinds,

The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

The Senate bill entitled,

An act to establish Keaton's ferry on the Tombigbee river,
Was read the first time.

On motion of Mr. Fortson,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act supplemental to an act entitled an act to establish a system of common schools and for other purposes, approved March 4th, 1846,

Was read the first time.

On motion of Mr. Hinds,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Noble,

Leave of absence was granted Mr. Lynch for a few days.

The Senate bill entitled,

An act to incorporate the town of Spring Hill in the county of Tippah,

Was read the first time.

On motion of Mr. Hamer,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of Wm. B. Cavanah,

Was read the first time.

On motion of Mr. Whitfield,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill to be entitled,

An act to incorporate the mutual life insurance company of Mississippi,

Was read the first time.

On motion of Mr. Catchings,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. West of Holmes, asked a suspension of the orders, to enable him to introduce a bill,

Which was refused.

The Senate bill entitled,

An act for the benefit of the Aberdeen female academy,

Was read the first time.

On motion of Mr. Houston,

The rule was suspended,

And the bill read the second time.

Mr. Metcalf moved that the bill be laid on the table;

Which was lost.

Mr. Duke offered the following amendment by additional section, to-wit:

Sec. — *Be it further enacted*, That the funds received from the sale of vinous and spiritous liquors in the town of Pontotoc, Pontotoc county, shall be paid to the trustees of Pontotoc female academy, for the use of said academy;

Which was lost.

On motion of Mr. Houston,

The bill was laid on the table.

The Senate bill entitled,

An act to amend an act entitled an act to incorporate the town of Shieldsboro and for other purposes,

Was read the first time.

On motion of Mr. Toulme,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to define the duties of the board of police of Tippah county and for other purposes,

Was read the first time.

On motion of Mr. Hamer,

The rule was suspended,

And the bill read the second time.

Mr. Weir offered the following amendment:

Provided, That nothing in this act shall be so construed as to prohibit any succeeding Legislature to repeal at pleasure the privileges granted therein;

Which was adopted.

Mr. Dilworth offered the following amendment:

Strike out after the words "citizens of the" and insert "counties of Tippah and Tishemingo" in the 6th section.

Mr. Weir offered the following amendment to the amendment:

Insert after the word "Tishemingo," "Yalobusha;" which,

On motion of Mr. Dilworth,

Was rejected.

Mr. Weir offered the following amendment:

Strike out "Tippah, Tishemingo," and insert "of the United States;" which,

On motion of Mr. Dilworth,

Was rejected.

On motion of Mr. Yerger,

The bill with the amendments, was referred to a committee of the whole on to-morrow at 12 o'clock.

On motion of Mr. Whitfield,

The message from the Senate was postponed, and the bill from the Senate entitled,

An act to provide for the sale of the 500,000 acres of land donated to this state by Congress for purposes of internal improvement, was taken up.

Mr. Hamer moved that the House adjourn until 10 o'clock to-morrow morning;

Which was lost.

The House resolved itself into committee of the whole on said bill, Mr. Liddell in the chair.

After some time spent therein,

The committee rose, reported progress, and asked leave to set again at 11 o'clock to-morrow;

Which was received and agreed to.

Mr. Foote of Noxubee, moved that the House adjourn until to-morrow morning at 10 o'clock;

Which was lost.

On motion of Mr. Brooke,

The House adjourned until half past nine o'clock to-morrow morning.

SATURDAY, FEBRUARY 12, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. O. A. Shaw of the Episcopal Church.

Mr. Huie from the committee on propositions and grievances, to whom was referred the petition of William T. Courts, praying the passage of a law authorizing the Auditor to pass to him a quit claim title to certain land therein named, reported a bill to be entitled,

An act for the relief of William T. Courts, and recommended its passage;

Which was received and agreed to;

And the bill read the first time.

On motion of Mr. Huie,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Huie from the same committee, to whom was referred the petition of Edward Wills, praying the payment of a sum therein named, reported the same back to the House as having been improperly referred, and asked to be discharged from the further consideration of the same;

Which was received and agreed to, and,

On motion of Mr. Ford,

The petition was referred to the committee on claims.

Mr. Wooldridge from the standing committee on military affairs, to whom was referred the memorial of the officers of the 37th regiment of Mississippi militia, reported a bill to be entitled,

An act to divide the 37th regiment Mississippi militia, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Neill,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Arnold from a select committee, made the following report, to-wit:

MR. SPEAKER—The select committee on disposing of the surplus copies of the reports of the High Court of Errors and Appeals in the State Library, have had the same under consideration and have instructed me to report the bill with the amendment back to the House and recommend its passage;

Which was received and agreed to.

Mr. Brooke moved to amend by striking out "four," and insert "five" after the word "dollars;"

Which was lost.

Mr. Simrall moved to strike out "five" in the 4th section;

Which was carried.

Mr. Yerger moved to fill the blank with "50;"

Which was lost.

Mr. Hinds moved to fill the blank with the No. "20" copies of the statutes.

Mr. Whitmore moved that the amendment be so amended as to include five copies of the reports;

Which was adopted.

Mr. Cushman offered the following amendment to the amendment:

Provided a sufficient number of Walker's reports shall be retained by the State to furnish those counties with the above reports that have never received them.

Mr. Liddell moved the rejection of the proviso;

Which was decided in the negative.

The question was then taken on the adoption of **Mr. Cushman's** amendment,

And decided in the affirmative.

The question was then taken on the adoption of the amendment as amended,

And decided in the affirmative.

On motion of **Mr. Ford**,

The vote taken on the amendment offered by **Mr. Brooke**, to strike out 4 and insert 5 in the first section, was reconsidered.

The question was then taken on striking out 4,

And decided in the affirmative.

On motion of **Mr. Simrall**,

The bill was recommitted to the some committee with instructions to incorporate the various amendments in the bill.

Mr. Bond from the select committee, to whom was referred the petition of J. G. Selph and others, praying the passage of a law granting a license to A. Duteon, to hawk and peddle through the State, reported unfavorably to the same;

Which was received and agreed to.

Mr. Alderson from the select committee, to whom was referred a bill to be entitled,

An act to revise and amend the stray laws, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to, and,

On motion of Mr. Dilworth,

The bill was laid on the table.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have examined bills of the following titles, to wit:

An act to authorise the citizens of Hancock county to locate the seat of justice of said county and for other purposes;

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county;

An act to incorporate the town of Danville in the county of Tishemingo;

An act to amend the laws relating to writs of injunction, *ne exeat* and supersedeas;

An act supplemental to an act entitled an act to change the time of holding the circuit courts in the seventh judicial district in this State;

An act for the relief of William B. Cavanah;

And have found the same correctly enrolled.

On motion of Mr. West of Holmes,

Resolved, That a committee of five be appointed to investigate the causes of the officers of this State not handing over to their successors in office, the laws, books, reports, &c., which they have received by virtue of their office.

The Chair appointed as said committee Messrs. West, Neill, Whitfield, Simrall, and Houston.

On motion of Mr. Foote of Noxubee,

Resolved, That a committee of five from the counties through

which the Mobile and Ohio rail road is intended to pass, shall be appointed to draft an act of incorporation for the benefit of the Mobile and Ohio rail road company, as incorporated by an act of the Legislature of Alabama, approved 3d Feb. 1847, and report the same to this House.

The Chair appointed as said committee, Messrs. Foote of Noxubee, Connell, Carroll, Fortson and Dilworth.

On motion of Mr. Whitfield,

Resolved, That the Senate bill for the sale of the 500,000 acres of land be now taken up, and that it have the preference over all other orders of the day until disposed of.

The House then resolved itself into committee of the whole on said bill, Mr. Cushman in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House with a substitute, and asked leave to sit again on Monday at 12 o'clock.

Mr. Cushman moved that the report be received and agreed to.

A division of the question was called for, and the report received

Mr. Campbell of De Soto, moved that the report be laid on the table with a view to printing;

Which was lost.

The question was then taken on agreeing to the report,
And decided in the affirmative.

On motion of Mr. Hinds,

The bill and substitute were laid on the table.

Mr. Dilworth moved that 200 copies of the substitute be printed.

Mr. Nash moved that 100 copies of the bill and 200 copies of the substitute be printed.

The question being divided, was taken on printing 100 copies of the bill, and decided in the affirmative.

The question was then taken on printing 200 copies of the substitute, and decided in the affirmative.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to change the time of holding the probate court in the county of Jefferson;

A bill to be entitled,

An act to define the boundary of Tunica county;

A bill to be entitled,

An act to amend an act entitled an act to authorise the mayor and Aldermen of the city of Jackson to erect a bridge across Pearl river;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bill from the House of the following title, to wit:

A bill for the relief of Augustus Pitchford, of Holmes county.

A message from the Governor, by Mr. Jones, his private Secretary:

To the Senate and House of Representatives:

I herewith transmit you the report of the commissioners appointed by my late predecessor for the purpose of protecting the timber on lands belonging to the State, and I would recommend to the Legislature the passage of a law for the further and more effectual protection of our State lands.

J. W. MATTHEWS.

EXECUTIVE CHAMBER, Feb'y. 11, 1848.

GRENADA, Jan'y. 10, 1848.

To his excellency, Joseph W. Matthews,

Governor of the State of Mississippi:

Sir—We, the commissioners, appointed by your predecessor with commissions and instructions bearing date Feb'y. 8, 1847, for the supervision and protection of the timber on the lands belonging to the State, beg leave to make the following report, that certain persons herein named, did trespass on the lands, to wit:

<i>Names of persons.</i>	<i>Parts of Sec's.</i>	<i>Sect.</i>	<i>Town.</i>	<i>Range.</i>
Jno. B. Courtney,	Lots 6 and 7	32	25	8 west
do do	" 5 7	5	24	8 "
Myer Courtney,	" 6 7	32	25	8 "
do do	" 5 7	5	24	8 "
Charles Wallace,	" 5 7	5	24	8 "
George Arnold,	" 9 7	5	24	8 "
Alex. Harper,	" 1, 2, 3	32	25	8 "
Thomas Engless,	" 6 7	32	25	8 "
Felix G. Whiting,	" 5 6	5	24	8 "

James F. Woodfork,	"	6	7	32	25	8	"
do do	"	3, 5,	6	2	24	8	"
E. E. P. Davidson,	"	5, 6, 7	8	32	25	8	"
Joseph Stiller,	"	5, 8,	9	2	24	8	"
Henry Jones,	"	15	16	2	24	8	"
H. H. Glenn,	"		3	2	24	8	"
Mr. Raleigh,	"	7	8	4	24	8	"
Ezekial Price,	"	3, 5,	6	2	24	8	"
Jer. Smith,	"	3, 5,	6	2	24	8	"

All of whom were returned to Joseph W. Elliott, an acting justice of the peace of Bolivar county, on the charge of trespassing, and also a list was presented to a district attorney of the proper district, of the names of the trespassers, and names of good and sufficient witnesses to prove they have cut and carried away the timber belonging to the State, to the great prejudice of said lands; and the following named persons have cut and carried away timber off of the State lands, which we have not taken any course of law with, for reasons hereinafter mentioned:

James Wallace,	N. E. $\frac{1}{4}$ S. 21, and N. W. $\frac{1}{4}$ S. 22, T. 24 R. 2 W		
Henry Smith,	do do do do do do		
Ezekiel McNabb,	Sec. 14, 15, 22,	22,	3 "
Wm. McGregor,	do 14, 15, 22,	22,	3 "
Asa Powers,	do do	do do	
Mr. Bell,	do do	do do	

They had cut off and floated the timber off of the State lands and mixed it with timber they had cut off of lands belonging to the General Government, before we knew of their trespassing; and we could not identify the particular timber that came off the State lands.

Lewis and Benjamin Stacy have trespassed on section 3, township 28, range 4 west, to the amount of about two hundred trees; they have acknowledged their indebtedness to the State, and willingness to pay the same.

Jackson Harris has trespassed on section 27, of township 27, range 2 east, for which we compromised with him by his paying the sum of fifteen dollars.

All of which, we most respectfully submit to you, and would re-

commend that some more effective mode might be adopted to prevent the destruction of the timber on the State lands.

JOHN RAYBURN,
W. BRYAN.

We will observe, that some foreigners among citizens of the State, are cutting timber on Government land adjoining State lands, and sometimes they take a portion from the State lands.

JOHN RAYBURN,

On motion of Mr. Brown,

The message was referred to a select committee of three, with leave to report by bill or otherwise.

The Chair appointed as said committee, Messrs. Brown, Nash, and Bardin.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills from the House of the following titles, to wit:

An act entitled an act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

A bill to be entitled,

An act to change the time of holding the probate court of Hancock county;

A bill to be entitled,

An act to extend the time of holding the probate court of Noxubee county;

A bill to be entitled,

An act for the benefit of Thomas J. Likens, of Washington county;

A bill to be entitled,

An act to authorise P. W. Hemphill, James Liddell, et. al., to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp, where the road from Louisville to Carrollton crosses the same.

The Senate have passed the following resolution from the House, to wit:

A resolution granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers.

The President of the Senate did, on this day, sign the acts from the House of the following titles, to wit:

An act for the relief of Edward Martin;

An act to incorporate the town of Hillsborough, of Scott county;

An act to authorise the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county;

An act to incorporate the town of Danville in the county of Tishomingo.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to establish a ferry across Yazoo river, at the the city of Yazoo, in Yazoo county;

A bill to be entitled,

An act to abolish the office of State architect;

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison and Smith;

In which I am instructed to desire the concurrence of the House of Representatives.

The special order, to wit: A Senate bill entitled,

An act to define the duties of the board of police of Tippah county, and for other purposes,

Was considered in committee of the whole;

Mr. Yerger in the chair.

After some time spent therein, the committee rose, reported the bill back to the House with amendments, and recommend its passage as amended;

Which was received and agreed to.

On motion of Mr. Echols,

The amendments were considered as engrossed,

The bill read the third time and passed as amended.

The unfinished business, entitled an act to repeal the 1st., 2d and 3d sections of an act to regulate the practice of the circuit courts, approved Febraary 22, 1840, and to amend the law in relation to forthcoming bonds,

Was considered in committee of the whole,

Mr. Liddell in the chair.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again at 3 o'clock, P. M.;

Which was received and agreed to.

Mr. Nash, by leave, introduced a bill to be entitled an act to legalize the public roads in Coahoma county;

Which was read the first time.

On motion of Mr. Nash,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion,

The House adjourned until 3 o'clock.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

The Speaker presented to the House the following communication from the Auditor of Public Accounts:

AUDITOR'S OFFICE, }
Feb'y. 12, 1848. }

Hon. John J. McRae,

Speaker of the House of Representatives:

Sir—The following resolution of the House of Representatives, adopted this day, has just been communicated to me. *I*

Resolved, That the Auditor of Public Accounts, be required to report to this House what amount, if any, appears on the books of his office to the credit of the 3 per cent fund.

In obedience to said resolution, I have the honor to report, that there appears to the credit of the 3 per cent fund on the books of this office, the sum of one hundred and seven thousand two hundred and thirty-seven dollars and ninety-eight cents.

Respectfully submitted,

GEO. T. SWANN,
Auditor of Public Accounts.

On motion of Mr. Liddell,

The communication was laid on the table.

The House resumed the consideration of its unfinished business in committee of the whole,

Mr. Liddell in the chair.

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

Mr. Simrall offered the following amendment:

Strike out the 1st and 2d sections of the Senate bill from the enacting clause, and insert the following:

That all laws and parts of laws heretofore in force, authorising and requiring sheriffs or other officers to take forthcoming bonds from persons whose property may be levied upon, for the forthcoming of said property on the day of sale, be, and the same is hereby repealed: *Provided, however*, that the provisions of this act shall in nowise apply to or affect judgments founded on contracts entered into prior to the passage thereof.

Mr. Hinds moved for a call of the House;

Which was lost.

The question was taken on the adoption of the amendment, and decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative, are

Messrs. Abbott, Alderson, Arnold, Bond, Brooke, Brown, Campbell of Desoto, Campbell of Franklin, Clayton, Cleveland, Collier Connell, Cushman, Davis, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Hamer, Harrington, Houston, Huie, McAfee, Myers, Neill, Noble, Philips, Sanders, Simrall Slade, Steger, Thomas of M., Toulme, West of Wayne, West of Holmes, White, Whitfield, Whitmore, and Wilson—43:

Those who voted in the negative, are

Mr. Speaker, Messrs. Bardin, Brumfield, Bynum, Carroll, Dampier, Ellis, Garrett, Gatlin, Godfrey, Hall, Hancock, Hinds, Hogue, Holden, Liddell, McLaurin, Melton, Metcalf, Moore, Nailor, Nash, Neely, Ray, Smith, Stanton, Steele, Suratt, Thames, Torrey, Trigg, Valentine, Walker, Weathersby, Weir, Wooldridge and Yerger—37.

Mr. Walker moved that the House adjourn until Monday morning at 10 o'clock;

Which was lost.

Mr. Brooke offered the following amendment:

Be it further enacted, That on every execution issued on judgments rendered hereafter, the clerk shall endorse thereon a state-

ment showing whether the judgment was rendered on a contract entered into prior or subsequent to the passage of this act;

Which was adopted.

Mr. Yerger offered an amendment, but before the question was taken,

On motion of Mr. Stanton,

The House adjourned until Monday morning 10 o'clock;

Mr, Yerger being entitled to the floor.

MONDAY, FEBRUARY, 14, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Caldwell of the city of Jackson.

Mr. Stanton presented the petition of sundry citizens of Natchez praying the passage of a law changing the assessment of the property of the regular merchant, also to amend the law governing the duties and powers of the inspectors of provisions of the city of Natchez, &c., &c.; which,

On his motion,

Was referred to a select committee of three, consisting of Messrs. Stanton, Mason and Henry.

Mr. Stanton presented the petition of Nat. Hoggett, jr., praying the passage of a law emancipating certain slaves therein named; which,

On motion of Mr. Ford,

Was rejected.

Mr. Nash presented the petition of sundry citizens of Coahoma county, praying the passage of a law granting preemptions &c.; which,

On his motion,

Was referred to the joint select committee on petitions of settlers on state and school lands.

Mr. Johnston gave notice that he would ask leave to introduce a bill to repeal an act to prevent unnecessary charges against debtors, passed 25th January, 1841.

Mr. Weathersby presented the petition of sundry citizens of Franklin and Copiah counties, praying the creation of a new county; which,

On his motion,

Was referred to the committee on county boundaries.

Mr. Nailor, from the standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have examined bills of the following titles, viz:

An act to authorise P. W. Hemphill, James Liddell and others to erect a bridge or ferry over Big Black river and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same;

An act to change the time of holding the regular terms of the Police Court of Hancock county;

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

An act to extend the time of holding the Probate Court of Noxubee county;

Resolution granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers;

An act to establish Keaton's Ferry on the Tombigbee river;

An act to incorporate the town of Spring Hill, in the county of Tippah;

An act to incorporate the Mutual Life Insurance Company of Mississippi;

And have found the same correctly enrolled.

The following message was received from the Senate by their messenger, Mr. Tebo:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate did, on this day, sign the acts from the House of the following titles, to-wit:

An act to authorise P. W. Hemphill, James Liddell and others to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same;

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

An act to extend the time of holding the Probate Court of Noxubee county;

An act to change the time of holding the regular terms of the Police Court of Hancock county.

The President of the Senate has also signed the resolution from the House, granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers.

The Senate have passed the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to extend the rail road eastwardly beyond Jackson;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the resolution from the House of the following title, to-wit:

A resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the first Mississippi rifles &c., &c., and have made an amendment thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bill from the House of the following title:

A bill to be entitled, an act for the relief of Wm. P. Courts.

I am instructed to inform the House of representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of the Raymond Female Institute;

A bill to be entitled,

An act to incorporate the town of Quitman, in the county of Clarke;

A bill to be entitled,

An act for the relief of James Bond, of the county of Choctaw, one of the securites of Richard S. Graves, formerly treasurer of this State;

A bill to be entitled,

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of De Soto, approved February 16th, A. D. 1842;

A bill to be entitled,

An act for the election of the Clerk of the Superior Court of Chancery;

A bill to be entitled,

An act to increase the pay of the jurors in the counties of Lawrence and Marion;

In which I am instructed to desire the concurrence of the House of Representatives:

The Senate have granted leave to the introduction of a bill of the following title, to wit:

A bill to be entitled,

An act to provide for the payment of Sheriff's costs in certain cases.

The following message from his excellency, the Governor, through his private secretary, Mr. Jones:

MR. SAEAKER—I am instructed by his excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to incorporate the town of Hillsborough of Scott county;

An act for the relief of Edward Martin;

An act to amend the laws relating to writs of injunction *ne exeat* and supersedeas;

An act to remove the civil disabilities of Jackson Darden, minor, of Jefferson county;

An act to incorporate the town of Danville in the county of Tishemingo.

Mr. Whitfield presented the petition of John Vaugh, praying the passage of a law severing the bonds of matrimony between himself and his wife; which,

On motion of Mr. Whitfield,

Was referred to the standing committee on propositions and grievances.

Mr. Henry presented the petition of W. L. Balfour and others, praying the passage of a memorial to Congress authorising the opening of Bayou Manshac; which,

On his motion,

Was referred to the standing committee on federal and state relations.

Mr. Houston presented the petition of Wm. M. Hollingsworth, praying the passage of a law divorcing him from the bonds of matrimony; which,

On his motion,

Was referred to the committee on the judiciary.

Mr. Wilson presented the claim of Thomas Goode and William Peterson;

Which was referred to the committee on claims.

Mr. Foree presented the petition of the school commissioners of Tallahatchie county, praying the passage of a law confirming the sale of a school section in said county; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed Messrs. Foree, West of Wayne and Campbell of Franklin.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have presented to his excellency, the Governor, for his approval and signature, bills of the following titles, viz:

An act to incorporate the town of Danville, in the county of Tishemingo;

An act to authorise the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

An act to remove the civil disabilities of Jackson Darden, minor, of Jefferson county;

An act to incorporate the town Hillsborough of Scott county;

An act for the relief of Edward Martin;

An act to amend the laws relating to writs of injunction *ne exeat* and supersedeas;

An act supplemental to an act entitled an act to change the time of holding the Circuit Courts in the seventh judicial district in this State;

An act for the relief of W. B. Cavanah.

The speaker presented the memorial of the Philadelphia College of Pharmacy, praying the passage of a law appointing inspectors for the purpose of testing drugs, medicines &c.;

Which was referred to a select committee of three, consisting of Messrs. Catchings, McWilliams and Ray.

Mr. Cushman, from the standing committee on the judiciary to whom was referred a bill to be entitled, an act to provide for the mode of administering the oath to all newly elected county officers, reported the same back to the House with sundry amendments, and recommended its passage as amended;

Which was received and agreed to.

On motion of Mr. Cushman,

The bill as amended, was considered as engrossed.

Read the third time,

And passed with its title as stated.

Mr. Cushman, from the same committee, to whom was referred the petition of R. E. Straton of Hinds county, reported a bill to be entitled,

An act for the relief of Richard E. Straton, and for other purposes;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Catchings,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Hancock,

Leave of absence was granted for a few days to Mr. Williams of De Soto.

Mr. Hancock, from a joint select committee to whom was referred, a bill to alter, change and abolish the constitution, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to.

Mr. Metcalf offered an amendment by additional section.

Mr. Cushman moved that the further consideration of the same be postponed until Wednesday next;

Which was lost by yeas and nays, as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Bardin, Bond, Brumfield, Bynum, Carroll, Catchings, Cleveland, Collier, Davis, Ellis, Ford, Garrett, Gatlin, Hall, Henry, Hill, Holden, Johnston, Lynch, Mason, McInnis, McLaurin, Melton, Moore, Myers, Nailor, Nash, Neely, Noble, Simrall, Slade, Smith, Stewart, Thames, Torrey, Toulme, Weathersby, West of Wayne, White, Wooldridge and Yerger—42.

Those who voted in the negative are,

Messrs. Abbott, Alderson, Arnold, Bond, Bynum, Campbell of Desoto, Campbell of Franklin, Clayton, Connell, Cushman, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Foree, Fortson, Hamer, Hancock, Hinds, Harrington, Hogue, Houston, Huie, Liddell, McAfee, McWilliams, Metcalf, Neill, Phillips, Ray,

Sanders Steele, Suratt, Thomas of Marshall, Trigg, Valentine, Walker, Weir, Whitfield, Whitmore, Wilson—42.

The question was then taken on Mr. Metcalf's amendment,
And decided in the affirmative.

On motion of Mr. Hancock,

The bill and amendment was referred to a committee of the whole house, and made the special order of the day for Wednesday next at 12 o'clock.

Mr. Nash from the select committee, to whom was referred the petition of Jane Herrod, reported a bill to be entitled,

An act for the relief of Jane Herrod, and the heirs of Charles B. Herrod;

Which was referred to said committee and recommended its passage without amendment;

Which was received and agreed to;

And the bill read the third time,

And passed with its title as stated.

Mr. Arnold from the select committee, to whom was recommit-
ted the bill to be entitled,

An act to dispose of the surplus copies of the digest of this State and the reports of the High Court of Errors and Appeals, and also the Chancery reports, reported the same back, amended according to the instructions of the House, and recommended its passage;

Which was received and agreed to;

The bill read the third time,

And passed with its title as stated.

Mr. Bond from the select committee, to whom was referred the petition of J. G. Selph and others, reported a bill to be entitled,

An act to incorporate the town of Pass Christian in the county of Harrison, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Bond,

The rule was suspended;

The bill read the second and third time forthwith.

And passed with its title as stated.

Mr. Wooldridge by leave, introduced a bill to be entitled,

An act to incorporate the town of Philadelphia in the county of Neshoba;

Which was read the first time.

On motion of Mr. Wooldridge,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Wooldridge,

Resolved, That the Auditor of Public Accounts be, and he is hereby required to report to this House, as soon as practicable, the amount of money expended on military account from the first day of January, 1843, to the first day of January, 1848 inclusive, and that he state the amount so expended per annum, to whom, and for what purpose.

Mr. Myers by leave, introduced a bill to be entitled,

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green and Jones;

Which was read the first time.

On motion of Mr. Myers,

The rule was suspended,

And the bill read the second time.

On motion of Mr. Lynch and Mr. Metcalf,

The counties of Rankin and Scott were added after the county of Jones.

On motion of Mr. Myers,

The bill as amended, was considered as engrossed;

And the bill read the third time forthwith,

And passed with its title as stated.

Mr. Metcalf by leave, introduced a resolution of the Legislature to provide for the supplying the laws and journals, and a copy of Howard & Hutchinson, to the several officers of this State;

Which was read the first time.

On motion of Mr. Metcalf,

The rules were suspended,

And the resolution read a second time.

Mr. Liddell offered the following amendment:

Second resolution, 10th line, insert "and who have not been heretofore supplied with them;"

Which was adopted.

Mr. Hancock offered the following amendment:

Amend by adding "that whosoever wants a copy of Howard &

Hutchinson's digest, be him officer or citizen, be, and he is hereby authorized to purchase the same for his own use."

Mr. Garrett moved the rejection of the amendment;

Which was lost.

On motion of Mr. Walker,

The resolution and amendments were laid on the table.

Mr. Echols moved that the orders be suspended to enable him to introduce a resolution;

Which motion failed.

The following message was received from the Senate by their messenger, Mr. Tebo:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bill of the following title, to-wit:

An act to attach the county of Claiborne to the southern district Chancery court of the State of Mississippi, which is amended by way of ryder;

And in which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bill from the House of the following title, to-wit:

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi at Natchez.

The unfinished business of Saturday was then taken up, to-wit:

The bill to repeal the forthcoming bond law.

Mr. Yerger offered an amendment, by striking out from the enacting clause and inserting a new bill.

Mr. Foote of Noxubee, moved that the amendment be laid on the table;

And decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Messrs. Abbott, Alderson, Arnold, Bond, Brooke, Brown, Campbell of De Soto, Campbell of Franklin, Cleveland, Collier, Connell, Cushman, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Hamer, Houston, Huie, Neill, Noble, Phillips, Slade, Steger, Thomas of Marshall, West of Holmes, White Whitfield, Whitmore and Wilson—35.

Those who voted in the negative are,

Mr. Speaker, Messrs. Bardin, Bynum, Byrn, Carroll, Catchings, Cypert, Dampier, Garrett, Gatlin, Godfrey, Hancock, Harrington, Henry, Hill, Hall, Hinds, Hogue, Holden, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Moore, Myers, Nailor, Nash, Neely, Ray, Sanders, Simrall, Smith, Stanton, Steele, Stewart, Suratt, Thames, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Weir, West of Wayne, and Yerger—52.

On motion of Mr. Weir,

A call of the House was had,

There being but two members absent without leave.

On motion of Mr. Simrall,

A further call of the House was suspended.

Mr. Moore offered the following amendment to the substitute:

Amend by striking out fourth, fifth and sixth sections; which,

On motion of Mr. Hinds,

Was rejected.

The question then recurred on Mr. Yerger's amendment,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Bardin, Bynum, Carroll, Catchings, Cypert, Dampier, Ellis, Garrett, Gatlin, Godfrey, Hall, Hancock, Henry, Hill, Hinds, Hogue, Holden, Johnston, Liddell, Lynch, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Myers, Nailor, Nash, Neely, Ray, Sanders, Smith, Stanton, Steele, Stewart, Suratt, Thames, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Weir, West of Wayne, Yerger—48.

Those who voted in the negative are,

Messrs. Abbott, Alderson, Arnold, Bond, Brooke, Brown, Brumfield, Byrn, Clayton, Cleveland, Collier, Connell, Cushman, Campbell of De Soto, Campbell of Franklin, Davis, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Hamer, Harrington, Houston, Huie, Mason, Moore, Neill, Noble, Phillips, Simrall, Slade, Steger, Thomas of Marshall, West of Holmes, White, Whitfield, Whitmore and Wilson—42.

Mr. Liddell offered the following amendment:

"And that it shall be the duty of the sheriff to levy on so much of the defendants property; provided so much can be found, as upon reasonable valuation as shall be sufficient to discharge the judgment with accruing costs and interest."

On motion of Mr. Cushman,

The bill and amendment was laid on the table by yeas and nays as follows, to-wit:

Those who voted in the affirmative, are,

Messrs. Abbott, Alderson, Arnold, Bond, Brooke, Brown, Brumfield, Byrn, Campbell of Desoto, Campbell of Franklin, Clayton, Cleveland, Collier, Connell, Cushman, Davis, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Hamer, Harrington, Henry, Houston, Huie, Mason, Melton, Metcalf, Myers, Neill, Noble, Phillips, Simrall, Slade, Steele, Steger, Thomas of Marshall, Trigg, West of Wayne, West of Holmes, White Whitfield, Whitmore and Wilson—48.

These who voted in the negative are,

Mr. Speaker, Messrs. Bardin, Bynum, Carroll, Catchings, Cypert, Dampier, Ellis, Garrett, Gatlin, Godfrey, Hall, Hancock, Hill, Hinds, Hogue, Holden, Johnston, Liddell, Lynch, McAfee, McInnis, McLaurin, McWilliams, Moore, Nailor, Nash, Neely, Ray, Saunders, Smith, Stanton, Stewart, Suratt, Thames, Torrey, Toulme, Valentine, Walker, Weathersby, Weir, and Yerger—42.

The House resolved itself into committee of the whole on its special order relative to the disposal of the 500,000 acres of land, Mr. Cushman in the chair.

After some time spent therein,

The committee rose, reported progress, and asked leave to sit again at 3 o'clock;

Which was received and agreed to.

On motion,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the town of Spring Hill in the county of Tippah;

An act to establish Keaton's ferry on the Tombigbee river;

An act to incorporate the mutual life insurance company of Mississippi;

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have adopted the following joint resolution:

Resolved, the House of Representatives concurring, That both houses adjourn *sine die* on Saturday the 26th instant.

The Senate have passed a bill of the following title:

A bill to be entitled,

An act to exempt from sale under execution the libraries of ministers of the gospel;

In all of which I am instructed to desire the concurrence of the House of Representatives.

The Senate have concurred in the first amendment made by the House to the Senate bill entitled,

And act to define the duties of the board of county police of Tippah county and for other purposes, and have disagreed to the second amendment of the House to the same bill.

The House resumed the consideration of its special order, to-wit:

The Senate bill relative to the 500,000 acres of land, in committee of the whole, Mr. Cushman in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House with the substitutes, and asked leave to sit again at 7 o'clock;

Which was received and agreed to.

Mr. Cushman moved that the vote taken on agreeing to the report of the committee of the whole, be reconsidered;

Which was decided in the affirmative.

Mr. Cushman moved to amend the report of the committee, by granting leave to sit again on to-morrow morning at 11 o'clock;

Which was sustained, and the report of the committee of the whole agreed to as amended.

On motion,

The House adjourned until to-morrow morning at half past nine o'clock.

TUESDAY, FEBRUARY 15, 1848.

The House met pursuant to adjournment.

Mr. Huie, from the standing committee on propositions and grievances, to whom was referred the petition of John Vaughn, reported the same back to the House as having been improperly referred, and asked to be discharged from the further consideration of the same;

Which was received and agreed to,
And the petition laid on the table.

Mr. Bond, from the select committee, to whom was referred the petition of Messrs. Campbell and others, reported a bill to be entitled,

An act to amend an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843;

Which was received and agreed to,
And the bill read the first time.

On motion of Mr. Bond,
The rule was dispensed with,
The bill read the second and third time forthwith,
And passed with its title as stated.

On motion of Mr. Catchings,
Resolved, That Capt. R. N. Downing, now present, be invited to take a seat within this Hall.

Mr. Lynch, from the select committee, to whom was referred the petition of Wm. H. Batte, reported a bill for the relief of Wm. H. Batte;

Which was received and agreed to,
And the bill read the first time.
On motion of Mr. Lynch,
The rule was dispensed with,
And the bill read the second and third time, forthwith,
And passed with its title as stated.

Mr. West of H., from the select committee, to whom was referred the resolution, enquiring into the causes why the different civil officers, going out of office, have not handed over to their successors all the books they were entitled to, and had received from the State, reported a bill to be entitled.

An act to prevent the loss of books.

Mr. West moved that the report be received and agreed to.

A division of the question was had, and the question taken on receiving, and decided in the affirmative.

The question was then taken on agreeing, and decided in the negative.

Mr. Foote of Noxubee, from the select committee appointed to enquire into the propriety of reporting a bill incorporating the Mobile and Ohio Rail Road company, &c., repoted a bill to be entitled,

An an act to incorporate the Mobile and Ohio Rail Road Company.

On his motion,

The report was received and agreed to.

On his further motion,

The rules were suspended,

And the bill read the second and third time, forthwith,

And passed with its title as stated.

On motion of Mr. Dilworth,

The Senate bill, entitled an act to provide for the leasing of the Chickasaw school lands;

Was called up and read the first time.

On motion of Mr. Dilworth,

The rule was suspended,

And the bill read the second time, forthwith,

And referred to the committee of the whole house, and made the special order of the day for Thursday next, at 12 o'clock.

On motion of Mr. Nash,

The bill entitled an act to dissolve the bonds of matrimony between Isaac Monroe Shelby and Maria Delaine,

Was called from the orders of the day,

And read the second time.

On motion of Mr. Nash,

The rule was suspended,

The bill read the third time,

And the question taken on the passage of the bill, and decided in the negative.

On motion of Mr. Houston,

The bill on the subject of the reports of the decisions of the High Courts, was withdrawn from the committee to whom it had

been previously referred, and referred to a select committee of five, composed of Messrs. Houston, Brooke, Whitmore, Arnold, and Simrall.

Mr. Brooke, by leave, introduced a bill to be entitled,

An act to change the time of holding the district chancery court of Carrollton, and the circuit court of Holmes county;

Which was read the first time.

On motion of Mr. Brooke,

The rule was suspended,

And the bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Henry gave notice, that he would, on to-morrow, introduce a bill supplementary to an act entitled an act to amend act to incorporate the Jackson and Canton Rail Road company, approved 5th February, 1841.

Mr. Simrall, by leave, introduced a bill to be entitled,

An act to amend an act incorporating the Homochitto turnpike and bridge company, approved 15th February, 1838;

Which was read the first time.

On motion of Mr. Simrall,

The rule was suspended;

And the bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Byrn moved to call from the orders of the day, bill No. 53;

Which was lost.

The following message was received from the Senate, by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act to authorise the president and directors of the West Feliciana Rail Road Company to close up the banking department of the institution, and for other purposes;

A bill to be entitled,

An act to amend an act entitled an act to amend the several laws of this State in relation to the courts of probate;

A bill to be entitled,

An act for the benefit of the returned officers and soldiers from the service of the United States, in Mexico.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to require the trustees of the 16th section, in Clarke county to make titles, &c.

A bill to be entitled,

An act to extend the corporate limits of the city of Jackson;

A bill to be entitled,

An act to incorporate the town of Marion, in Lauderdale county;

A bill to be entitled,

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

In which, I am instructed to desire the concurrence of the House of Representatives.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act for the relief of Augustus Pitchford, of Holmes county;

An act for the benefit of Thomas J. Likins, of Washington county;

An act for the relief of the State Hospital of Mississippi, at Natchez;

An act for the relief of Wm. T. Courts;

And found the same correctly enrolled.

The House resolved itself into committee of the whole on the Senate bill for disposing of the 500,000 acres of land,

Mr. Cushman in the chair;

• After some time spent therein, the committee rose, and reported progress, and asked leave to sit again at 3 o'clock, P. M.;

Which was received and agreed to.

On motion of Mr. Steger,

Resolved, That the Hon. Joseph W. Chalmers and the Hon. Thos. J. Word, be invited to take seats within the bar of this House, whenever it may suit their convenience during their stay at the capitol.

On motion of Mr. Walker,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment;

And resumed in committee of the whole, the Senate bill to provide for the disposal of the 500,000 acres of land, together with the amendments of Messrs. Henry and Nash,

Mr. Cushman in the chair.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again, at 7 o'clock;

Which was received and agreed to.

On motion of Mr. Walker,

The House took a recess until 7 o'clock.

SEVEN O'CLOCK, EVENING.

The House met pursuant to adjournment;

And resumed in committee of the whole, the Senate bill to provide for the disposal of the 500,000 acres of land,

Mr. Cushman in the chair.

After some time spent therein, the committee rose, reported progress, and asked leave to sit again on to-morrow at 11 o'clock;

Which was received and agreed to.

On motion of Mr. Hancock,

The House adjourned until to-morrow morning 9½ o'clock.

 WEDNESDAY, FEBRUARY 16, 1848.

The House met pursuant to adjournment.

Mr. Lynch, by leave, called for the consideration of the Senate bill entitled,

An act to extend the rail road eastwardly beyond Jackson;

Which was read the first and second time, forthwith, and,

On his motion,

Referred to the committee of the whole, and made the special order of the day for Friday next, at 12 o'clock.

Mr. Alderson, by leave, called from the orders of the day, a bill to be entitled,

An act to incorporate the Holly Springs rail road company;

Which was read the third time,

And passed with its title as stated.

Mr. Catchings, by leave, called from the table, a bill to provide for and establish common schools; which,

On his motion,

Was referred to the committee of the whole, and made the special order of the day for Friday next, at 12 o'clock.

Mr. Sanders presented the petition of sundry citizens of this State, praying the Legislature [to make an appropriation for cleaning the obstructions in Big Black; which,

On his motion,

Was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Sanders, Collier, Trigg, Catchings, and Lynch.

Mr. Neill presented the petition of Thomas Pleasants, a citizen of Carroll county, praying the passage of an act to refund to him the sum of four hundred dollars; which,

On his motion,

Was referred to the committee on claims.

Mr. Ellis presented the petition of sundry citizens of the county of Clarke, praying the passage of an act emancipating a certain negro therein named; which,

On his motion,

Was referred to the judiciary committee.

Mr. Catchings presented the petition of Edwin Moody, a citizen of Hinds county, praying the passage of an act authorising the Auditor of Public Accounts to issue his warrant in favor of said Moody, for certain moneys due him by the State; which,

On his motion,

Was referred to the committee on claims;

Mr. Lynch presented the petition of Silas L. Steen, late sheriff and tax collector of Rankin county, praying the passage of an act releasing him from damages, and to grant additional time in the payment of certain moneys due the State for taxes; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Metcalf presented the petition of sundry citizens of Scott county, praying the repeal of the 12th section of Howard & Hutchinson, relating to justices of the peace; which,

On his motion,

Was referred to a select committee of three.

The chair appointed as said committee, Messrs. Metcalf, Lynch, and Noble.

Mr. Simrall, from the judiciary committee, to whom was referred the bill to amend the several laws of this State prescribing the mode of proceeding against incorporated banks, and against other persons pretending to exercise corporate franchises under acts of incorporation, and for other purposes, reported the same back to the House with sundry amendments, and recommended its passage as amended;

Which was received, and,

On motion of Mr. Hancock,

Laid on the table.

On motion of Mr. Simrall,

Two hundred copies were ordered to be printed.

Mr. Catchings, from the select committee, to whom was referred the memorial of the Philadelphia College of Pharmacy, reported the same back to the house with a preamble and resolutions asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

Which was received and agreed to,

And the resolution read the second time.

On his motion,

The rule was suspended,

The resolutions read the second and third time, forthwith, and adopted.

Mr. Perce, from the select committee, to whom was referred the petition of Hamilton Degan, W. A. Davidson, and W. G. Caskey, of the commissioners of Talahatchie county, praying for certain things therein named, reported the same back to the House with the following amendments:

Resolved, That the petition of Thomas Perce

Be referred to the select committee on the petition of

Thomas Perce, and the committee be authorized to report thereon

On the 10th day of

The committee report

The bill to amend the several laws of this State prescribing the

Mode of proceeding against incorporated banks, and against other

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

An act to authorise P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same;

An act to change the time of holding the regular terms of the police court of Hancock county;

An act to extend the time of holding the probate court of Noxubee county;

Resolution granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers.

Also the joint standing committee on enrolled bills have examined a bill of the following title, to-wit:

An act to amend an act entitled an act to incorporate the town of Shieldsboro and for other purposes;

And have found the same correctly enrolled.

Mr. Ford from the select committee, to whom was referred a bill to be entitled,

An act to require the Chancellor to hold terms of the Chancery Court at Vicksburg, Canton and Paulding, reported the same back to the House with an amendment by way of substitute, and recommended the passage thereof;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Ford,

The rule was suspended,

And the bill read the second time.

Mr. Ford called the following committee

On the bill to amend an act to incorporate the town of Shieldsboro

And the committee reported

The bill as amended by the committee

And the bill was read the third time

And passed by yeas 10 and nays 10

Mr. Bond from the select committee, to whom was referred the petition of R. Seal and others, reported the same back to the House with a bill to be entitled,

An act to provide for removing the seat of justice of Harrison county, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Byrn by leave, introduced a bill to be entitled,

An act to provide for leveeing the Mississippi river in the county of Tunica;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to the committee on internal improvements.

Mr. Fortson by leave, introduced a bill to be entitled,

An act for the benefit of junior judgment creditors;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to incorporate the officers and members of Ridgely Lodge No. 23, of the Independent Order of Odd Fellows in the town of Starkeville, Oktibbeha county;

A bill to be entitled,

An act to amend the laws now in force relating to last wills and testaments;

A bill to be entitled,

An act to provide for the appointment of deputy clerks in vacation.

The Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to aid in the establishment of an institution for the instruction of the blind;

A bill to be entitled,

An act to authorize William B. Read and Richard A. Howard to construct a turnpike road across the Noxubee swamp near Macon;

A bill to be entitled,

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

A bill to be entitled,

An act to provide for and establish common schools in the county of Hinds, Holmes and Yalobusha;

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named.

The Senate have adopted a resolution of the following title, to-wit:

A resolution granting leave of absence to the Hon. Hugh R. Miller;

In all of which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did on yesterday sign the acts from the House of the following titles, to-wit:

An act for the relief of the State Hospital of Mississippi at Natchez;

An act for the relief of William P. Courts;

An act for the benefit of Thomas J. Likens of Washington county;

An act for the relief of Augustus Pitchford of Holmes county.

The Senate have passed the bills from the House of the following titles, to-wit:

An act to incorporate the Mobile and Ohio rail road company;

A bill to be entitled,

An act to divide the 37th regiment Mississippi militia;

A bill to be entitled,

An act to provide the mode of administering the oath of office to all newly elected county officers;

An act to incorporate the town of Pass Christian in the county of Harrison.

Mr. Hamer offered the following resolution:

Resolved by the Legislature of the State of Mississippi, That his Excellency the Governor, be requested to cause a national salute to be fired in some suitable place in this city on the morning of the 22d instant, in commemoration of the birth day of Gen. George Washington, and the glorious achievements of our arms at the battle of Buena Vista;

Which was read the first time.

On his motion,

The rule was suspended,

The resolution read the second and third time forthwith, and adopted.

Mr. Hamer by leave, introduced a bill to be entitled,

An act for the protection of overseers;

Which was read the first time.

On motion of Mr. Hancock,

The bill was rejected.

Mr. Hamer by leave, offered the following resolution:

Resolved, That the committee on the vaccine depot, be instructed to inquire into the propriety and expediency of abolishing that institution and report by bill or otherwise;

Which was lost.

Mr. Gatlin gave notice that he would on to-morrow or some future day, ask leave to introduce a bill to be entitled,

An act to equalize the stray laws of this State.

On motion of Mr. Dilworth,

The orders of the day were suspended to enable him to introduce the following resolution:

Resolved, That no member of this House shall be allowed to speak longer than fifteen minutes at any one time.

Mr. Liddell offered the following as a substitute:

Resolved, That no member shall be permitted to speak on any one question, bill or resolution, a longer time than thirty minutes, and if any member consider that he has not delivered all his views on the subject under debate, he be permitted to write out the speech

which he desired to make and hand it to the reporters, which speech so published, shall be held and considered as having been fully and orally delivered in the House, any usage or custom to the contrary notwithstanding.

Mr. Foote of Noxubee, offered the following amendment:

Provided, That this resolution shall not operate in the discussion of the bill from the Senate entitled an act to prohibit the circulation of foreign bank notes in this State.

On motion of Mr. Suratt,

The amendment offered by Mr. Foote of Noxubee, was rejected.

Mr. Stewart offered the following amendment to the substitute offered by Mr. Liddell:

Strike out all of the substitute after the word "provided;"

Which was adopted.

On motion of Mr. Whitfield,

The resolution and amendments were laid on the table.

On motion of Mr. Campbell of De Soto,

The bill for the relief of L. D. Perry,

Was called from the orders of the day,

And read the second and third time forthwith,

And passed with its title as stated.

The House resumed the consideration of the Senate bill in relation to the 500,000 acres of land in committee of the whole, Mr. Cushman in the chair.

After some time spent therein,

The committee rose, reported progress and asked leave to sit again at three o'clock;

Which was received and agreed to.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills from the House of the following titles, to-wit:

A bill to be entitled,

An act to incorporate the town of Philadelphia in Neshoba county;

A bill to be entitled,

An act to change the time of holding the District Chancery Court at Carrollton, and the Circuit Court of Holmes county;

A bill to be entitled,

An act to amend an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843.

The Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st Feb. 1840;

A bill to be entitled,

An act to authorize Israel Dille, guardian of William H. Mary W. and Victoria D. Bowers, heirs of Wm. H. Bowers, deceased, to sell certain real estate of said heirs;

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Hinds,

The House took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The recess having expired,

The House resumed in committee of the whole, the consideration of the Senate bill for the disposal of the 500,000 acres of land, Mr. Cushman in the chair.

After some time spent therein,

The committee rose and reported the bill back to the House, with an amendment, asked to be discharged from the further consideration thereof, and recommended its passage as amended;

Which was received and agreed to.

Mr. Weir offered an amendment by way of a new bill, to-wit:

A bill to be entitled,

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States for purposes of internal improvement.

Considerable discussion arising thereon, the amendment was withdrawn.

Mr. Whitmore offered the following amendment:

Be it further enacted, That the sum of two hundred and forty thousand dollars, including the ninety-five thousand dollars of the sinking fund now in the treasury, be, and the same are hereby appropriated to the payment of the coupons for the interest due on the bonds sold on account of the Planters Bank, the one half to

be paid on the first day of June next, and the other half on the first day of June, 1849; provided that the interest that first becomes due shall be first paid.

Mr. Duke offered the following amendment:

Amend the amendment by striking out "two hundred and forty thousand dollars," and insert the amount to the credit of the sinking fund now in the treasury, or that may hereafter come in the treasury.

Mr. Foote of Noxubee, moved that the amendment to the amendment be laid on the table,

And decided in the affirmative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Abbott, Brooke, Brumfield, Byrn, Campbell of Franklin, Catchings, Clayton, Cleveland, Collier, Davis, Dilworth, Echols, Foote of Noxubee, Foote of Tippah, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hancock, Harrington, Henry, Hill, Houston, Huie, Johnston, Mason, McAfee, McInnis, McLaurin, McWilliams, Myers, Nailor, Neely, Neill, Noble, Phillips, Ray, Simrall, Slade, Stanton, Steger, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker-Weir, West of Wayne, West of Holmes, White, Whitfield, Whitmore and Yerger—57.

Those who voted in the negative, are,

Messrs. Alderson, Arnold, Bardin, Brown, Bynum, Campbell of De Soto, Connell, Cushman, Cypert, Dampier, Duke, Ellis, Hammer, Hinds, Hogue, Holden, Melton, Metcalf, Moore, Nash Sanders, Smith, Steele, Stewart, Suratt, Thames, Thomas of Yazoo, Weathersby, Wilson and Wooldridge—30.

Mr. Thomas of Marshall offered the following amendment:

Strike out "two hundred and forty thousand," and insert "one hundred and twenty thousand."

Mr. Metcalf moved that the amendment with the amendment be laid on the table;

Which was decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Bardin, Brown, Byrn, Campbell of D. Carroll, Connell, Cypert, Dampier, Davis, Duke, Ellis, Hancock, Hinds, Hogue, Holden, McWilliams, Melton, Metcalf, Moore, Smith, Steele, Suratt, Thames, Thomas of Yazoo, Weathersby and Wooldridge—27.

Those who voted in the negative are,

Messrs. Abbott, Alderson, Arnold, Brooke, Brumfield, Bynum, Campbell of Franklin, Catchings, Clayton, Cleveland, Collier, Cushman, Dilworth, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Harrington, Henry, Hill, Houston, Huie, Johnston, Liddell, Mason, McAfee, McInnis, McLaurin, Myers, Nailor, Nash, Neely, Neill, Noble, Phillips, Ray, Sanders, Simrall, Slade, Stanton, Steger, Stewart, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weir, West of Wayne, West of Holmes, White, Whitfield, Whitmore Wilson and Yerger—63.

Mr. Foote of Noxubee moved to lay the amendment to the amendment on the table;

Which was decided in the negative by yeas and nays as follows, to-wit:

Those who voted in the affirmative, are,

Mr. Speaker, Messrs. Brooke, Brumfield, Bynum, Catchings, Clayton, Cleveland, Collier, Davis, Echols, Foote of Noxubee, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Henry, Hill, Huie, Johnston, Mason, McInnis, McWilliams, Myers, Nailor, Neely, Neill, Saunders, Simrall, Slade, Torrey, Toulme, Trigg, Walker, Weir, West of Wayne, West of Holmes, White, Whitmore and Yerger—43.

These who voted in the negative are,

Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Byrn, Campbell of Franklin, Campbell of Desoto, Carroll, Connell, Cushman, Cypert, Dampier, Dilworth, Ellis, Foote of Tippah, Hancock, Harrington, Hinds, Hogue, Holden, Houston, Liddell, McAfee, McLaurin, Melton, Metcalf, Moore, Nash, Noble, Phillips, Ray, Smith, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Valentine, Weathersby, Whitfield, Wilson and Wooldridge—46.

The question recurring on the adoption of the amendment to the amendment.

On motion of Mr. Simrall,

The House adjourned until to-morrow morning half past 9 o'clock.

THURSDAY, FEBRUARY 17, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Reverend Mr. Frazee of the City of Jackson.

The Speaker presented a communication of Asa Whitney on the subject of a rail road from Lake Michigan to the Pacific Ocean; which,

On motion of Mr. Hancock,

Was referred to the committee on state and federal relations.

The Speaker also presented a communication from the Auditor of Public Accounts, to-wit:

AUDITOR'S OFFICE, }
Jackson, February 16, 1848. }

Hon. John J. McRae,

Speaker of the House of Representatives:

SIR—The following resolution of the House of Representatives, adopted on the 12th, was received by me on the 13th instant:

Resolved, That the Auditor of Public Accounts be and he is hereby required to report to this House as soon as practicable, the amount of money expended on military account from the 1st day of January, 1843 to the 1st day of January, 1848, inclusive; and that he state the amount so expended per annum, to whom, and for what service.

In obedience to said resolution, I have the honor to report that it appears from the books and vouchers of this office, that there was expended on military account during the year

1843, the sum of	-	-	-	-	-	-	605	23½
1844, " " "	-	-	-	-	-	-	1057	27
1845, " " "	-	-	-	-	-	-	1674	87½
1846, " " "	-	-	-	-	-	-	2285	36
1847, " " "	-	-	-	-	-	-	1521	75
For 1st day of Jan., 1848,	-	-	-	-	-	-	37	50

For information as to the persons to whom these amounts have been paid and for what service, I beg to refer to accompanying statements marked, A, B, C, D, E and F, exhibiting abstracts of the vouchers through the five years on which said disbursements were made.

Respectfully submitted,

GEO. T. SWANN,
Auditor of Public Accounts.

STATEMENT A.—Disbursements on account of Militia Department for 1843.

1843.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	Stanhope Posey,	1 year's salary as Assistant Quartermaster General, }	\$ 25 00
	" "		25 00
	" "		20 00
	" "		20 00
	" "		10 00
March.	F. M. Tucker,	1 month's service as Adjutant General, - - -	33 33½
April.	Lewis L. Taylor,	For one quarter's salary as Quartermaster, - - -	37 50
	F. M. Tucker,	For services as Adjutant General, - - -	20 00
	F. M. Tucker,	" " " " " - - -	24 44½
	F. M. Tucker,	" " " " " - - -	33 33½
May.	F. M. Tucker, j	" " " " " - - -	20 00
	F. M. Tucker,	" " " " " - - -	29 99
June.	L. L. Taylor,	For one quarters salary as Quartermaster, - - -	37 50
July.	F. M. Tucker,	" services as Adjutant General, - - -	20 00
	F. M. Tucker,	" " " " " - - -	20 00
	F. M. Tucker,	" " " " " - - -	10 00
August.	F. M. Tucker,	" " " " " - - -	61 93
Sept.	Isaac Chrisman,	" L. L. Taylor's quarter's salary as Quartermaster, -	37 50
Nov.	F. M. Tucker,	" services as Adjutant General, - - -	20 00
	F. M. Tucker,	" " " " " - - -	62 20
Dec.	Isaac Chrisman,	" L. L. Taylor's quarter salary as Quartermaster, -	37 50
Total for 1843,			\$ 605 23½

STATEMENT B—Disbursements on account of Militia Department for year 1844.

1844.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
H-49 February.	F. M. Tucker,	as Adjutant General,	\$ 31 56
	F. M. Tucker,	" " "	10 40
	F. M. Tacker,	" " "	7 31
March.	Isaac Chrisman,	For Lewis Taylor's services as Quartermaster General,	16 88
May.	J. R. Young,	" services as Adjutant General,	77 62
June.	Wm. M. Smyth,	" " " Quartermaster General,	62 50
July.	B. C. Buckley,	" one quarter's salary as Adjutant General,	100 00
	W. M. Smyth,	" one month's services as Quartermaster,	12 50
Sept.	Isaac Chrisman,	" B. C. Buckley's quarter salary as Adjutant General,	100 00
	Wm. Gibbons,	" services as aid to the Governor, (nine days,)	36 00
Oct.	G. D. Mitchell,	" " " drill master, 22 days, by order of the Governor,	66 00
	Wm. Gibbons,	" " " aid to the Governor, 10 days,	40 00
	B. C. Buckley,	" " " member of the Governor's staff, reviewing,	60 75
	B. C. Buckley,	" " " " " " " " " " "	31 25
Nov.	W. M. Smyth,	" 3 months services as Q'r. master, & for fr't. on public arms,	45 00
	R. Elward & Co.,	" record book for military commissions,	22 50
Dec.	J. M. Acker,	" John F. Brook's services as Brig. Qr. master on review,	39 00
	James Roach,	" services as Brigade Inspector,	80 00
	James Roach,	" " " " " " " " " " "	66 00
	A. Van Bibber,	" " " aid to the Governor,	52 00
	Wm. Morris,	" B. C. Buckley's salary as Adjutant General,	100 00
Total for the year 1844,			\$ 1057 27

STATEMENT C—Disbursements for the year 1845, on account of Militia Department.

1845.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
February.	W. M. Smyth,	For 1 qr's. salary as ass't. Qr. master and for blank comm's &c.	\$ 54 25
	S. B. Dougherty,	" 1 years salary as assistant Quartermaster, . . .	100 00
March.	Daniel Thomas,	" 1 quarter's salary, B. C. Buckley, as Adjutant General,	100 00
	D. H. Dickson,	" 25 days as drill master, by order of Governor, . . .	75 00
April.	Wn. Hemmingway,	" 7 " " " " by D. H. Dickson, by order, . . .	35 00
	D. H. Dickson,	" 21 " " " " order of Governor, - . . .	63 00
	J. E. Matthews,	" B. C. Buckley, quarter's salary as Adjutant General, . . .	100 00
June.	S. D. Martin,	" 15 days as Aid de-camp to his excellency, the Governor,	60 00
	C. A. Butler,	" 6 " " drill master, performed by D. H. Dickson, . . .	32 00
	W. Morris,	" 28 " " Aid-de-camp to the Governor by D. H. Dickson.	112 00
	J. W. Shaw,	" D. H. Dickson's quarter's salary, assistant Qr. master Gen'l.	25 00
	Wm. M. Smyth,	" 4 months' services as Quarter master General, . . .	50 00
July.	B. C. Buckley,	" services as aid to the Governor, 30 days, . . .	120 00
	E. R. Buckner,	" 2 quarters' salary as assistant Quartermaster, . . .	50 00
	Richard Elward,	" 6 " " " " . . .	150 00
	D. H. Dickson,	" 2 months' services as " " . . .	16 66 $\frac{2}{3}$
August.	Wm. M. Smyth,	" 2 months' services as Quartermaster General, . . .	25 00
	R. B. Kirkland,	" 9 " and 23 days assistant Quartermaster General, . . .	81 30
Sept.	B. C. Buckley,	" 1 quarter's salary as Adjutant General, . . .	100 00
Oct.	T. H. Gillespie,	" services as Brigade Inspector, . . .	36 00
	James Roach,	" " as aid to the Governor, . . .	40 00

Nov.	W. M. Smyth,	"	" 2 months as Quartermaster, - . .	25 00
	J. J. Durham,	"	" as Brigade inspector, 11 days, - . .	33 00
	Thomas Fletcher,	"	" as assistant Quartermaster, 11 months, - .	91 66
Dec.	B. C. Buckley,	"	" as Adjutant General, 1 quarter, - . .	100 00
Total for the year 1845,				1674 87½

STATEMENT D.—Disbursements on account of the Militia Department, 1846.

1846.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	James Carpenter,	To Charles G. Box, as Brigade Quarter-master, -	\$ 28 00
	Richard Elward,	" 2 quarters salary as assistant Quarter-master General, -	50 00
	C. G. Box, -	" attendance on brigade court martial, -	50 00
	Saml. Matthews,	" 2 quarters salary to E. F. Buckner, as Asst. Quartermaster, -	50 00
	William M. Smyth,	" 1 months services as Quartermaster, -	12 50
	Jackson Breeland,	" attendance on brigade court martial, -	20 00
	D. A. Hall, -	do do -	20 00
	A. M. Winn, -	For member of the staff of the Commander-in-Chief on review, -	208 00
	C. E. J. Stewart,	" as Adjutant of the Governor, -	56 00
February.	Wm. M. Smyth,	" 1 month's services as Quarter-master General, -	12 50
March.	H. H. Davis, -	" L. R. Barbor's services as brigade Quarter-master, 11 days, -	33 00
April.	Wm. Smyth, -	" 1 month's services as Quarter-master General, -	12 50
	S. B. Dougherty,	" 1 year's salary as Asst. Quarter-master General, -	100 00
May.	B. C. Buckley, -	" 1 quarter's salary as Adjutant General, -	100 00
June.	W. P. Harris, -	" 1 do do Quarter-master General, -	37 50
	J. M. Duffield, -	" services as drill-master, by order of the Governor, -	120 00
	B. C. Buckley, -	" 1 quarters' salary as Adjutant General, -	100 00
	R. B. Miller, -	" 2 quarters' salary as Assistant Quarter-master General, -	25 00
July.	Wm. Morris, -	" 2 quarters' salary to E. R. Buckner, as Asst. Quarter-mas. -	50 00
	B. C. Buckley, -	" services 8 days in the Governor's staff, -	32 00
	W. P. Harris, -	" 1 month's salary as Quarter-master General, -	12 50
	Saml. Stamps, -	" B. C. Buckley, services as adjutant General, -	21 36
August.	Saml. Dougherty	" 2 quarter's salary as Assistant Quarter-master General, -	50 00

	Richard Elward, .	For 2 quarters salary as Assistant Quarter-master, .	\$ 50 00
	Wm. Morris, .	" D. H. Dickson's services as drill master, by order of Gov.	202 00
Septem.	A. M. Winn, .	" 4 years services as Ass't. Q. M. and member of the staff,	520 00
	Sol. Tift, .	" 1 qrs. salary of R. B. Miller as Ass't. Quarter-master,	25 00
October.	J. W. Miller, .	" do do G. D. Mitchell as Quarter-master General,	37 50
	W. P. Harris, .	" do do as Adjutant General, . . .	100 00
Novem'r.	J. J. Durham, .	" services as Brigade Inspector, . . .	50 00
	Saml. Dougherty, .	" 1 qrs. salary as Assistant Quarter-master, - .	25 00
Dec'r.	Sol. Tift, .	" 1 qrs. salary to R. B. Miller as Assistant Quarter-master,	25 00
	E. R. Buckner, .	" 2 qrs salary as Assistant Quarter-master General, .	50 00
Total, ...			2285 36

STATEMENT E.—Disbursements on account of Militia Department for 1847.

1846.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	G. D. Mitchell. -	For services as Aid-de-camp, - - - -	\$ 12 00
	R. B. Miller, -	" do do - - - -	12 00
	B. G. Weir, -	" J. D. Mitchell's salary as Quarter-master General,	31 25
	James McDougald, -	" as Aid-de-camp, - - - -	50 00
	W. P. Harris, -	" " Adjutant General, - - - -	100 00
	G. D. Mitchell, -	" " Quarter-master General, - - - -	72 00
	Richard Elward, -	" " Assistant Quarter-master General, - - - -	50 00
	Samuel Dougherty, -	" " do do do - - - -	25 00
February.	Walter Denny, -	" G. C. Box's services as Aid-de-camp, - - - -	6 00
	do do -	" John Cowan's services in attending brigade court martial,	20 00
	B. C. Buckley, -	" R. Miller, qr. salary as Assistant Quarter-master, -	25 00
	D. C. Glenn, -	" W. P. Harris' quarter salary as Adjutant General,	100 00
April.	L. K. Barbor, -	" Brigade Inspector, - - - -	30 00
	S. B. Dougherty, -	" Assistant Quarter-master 2d qr. salary, - - - -	25 00
May.	A. C. Blair, -	" A. P. Cobb's services as Aid-de-camp, - - - -	90 00
June.	L. R. Stuart, -	" Assistant Quarter-master, 3 years 3 months, -	325 00
	W. P. Harris, -	" R. B. Miller's quarter salary as Assistant Quarter-master,	25 00
July.	Thos. Fletcher, -	" R. Elwards' 2 qrs. salary as Assistant Quarter-master Genl.	50 00
August.	Saml. Dougherty, -	" quarter's salary as Assistant Quarter-master, -	25 00
	W. P. Harris, -	" do do Adjutant General, - - - -	100 00
Septem.	D. C. Gay, -	" G. D. Mitchell's salary as Quarter-master General,	75 00
	B. C. Buckley, -	" R. B. Miller's qr. salary as Assistant Quarter-master,	25 00
October.	James E. Matthews, -	" G. D. Mitchell's qr. salary as Quarter-master General,	37 50

Novem.	David H. Dickson,	" Aid-de camp to his excellency the Governor,	96 00
	David C. Glenn,	" W. P. Harris' salary as Quarter-master General,	90 00
Dec'r.	S. B. Dougherty,	" quarter's salary as Assistant Quarter-master General,	25 00
Total,			1521 75

STATEMENT F.—Disbursements on account of Militia Department, for Jan'y. 1, 1848.

1846.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	Thomas Palmer,	For G. D. Mitchell's quarter salary as Quarter-master Gen'l.	\$ 37 50
Total,			37 00

On motion of Mr. Liddell,

The communication was referred to the committee on military affairs.

Mr. Cushman, from the judiciary committee, to whom was referred a bill to be entitled an act to amend the limitation laws of this State reported the same back to the House with sundry amendments, and recommended its passage as amended;

Which was received and agreed to;

The bill considered as engrossed, and read the third time.

Mr. Yerger moved that the bill be recommitted to the committee of the whole for 10 o'clock to-morrow;

Which was lost.

The question was then taken on the passage of the bill, and decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Alderson, Bardin, Brooke, Brown, Brumfield, Campbell of De Soto, Carroll, Clayton, Connell, Cushman, Cypert, Dampier, Davis, Duke, Ellis, Foote of Noxubee, Foote of Tippah, Foree, Fortson, Gatlin, Harrington, Houston, Mason, McWilliams, Melton, Neill, Simrall, Stewart, Toulme, Walker, Whitfield, Whitmore and Wilson—34.

Those who voted in the negative are,

Messrs. Abbott, Arnold, Bynum, Byrn, Campbell of Franklin, Catchings, Cleveland, Collier, Dilworth, Echols, Ford, Garrett, Godfrey, Hall, Hamer, Hancock, Henry, Hill, Hinds, Hogue, Holden, Huie, Johnston, Liddell, Lynch, McAfee, McInnis, McLaurin, Metcalf, Moore, Myers, Nailor, Nash, Neely, Noble, Phillips, Ray, Sanders, Slade, Smith, Steele, Steger, Suratt, Thames, Thomas of Yalobusha, Torrey, Trigg, Valentine, Weathersby, Weir, West of Holmes, White, Wooldridge, and Yerger—55.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

An act to amend an act entitled an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26th, 1843;

An act to incorporate the town of Philadelphia, in Neshoba county;

An act to provide the mode of administering the oath of office to all newly elected county officers.

An act to divide the 37th regiment Mississippi Militia;

An act to change the time of holding the district chancery court at Carrollton, and the circuit courts of Holmes county;

An act for the relief of L. D. Perry;

An act to incorporate the Mobile and Ohio Rail Road company;

And have found the same correctly enrolled.

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of the State Hospital of Mississippi, at Natchez;

An act for the relief of Augustus Pitchford of Holmes county;

An act for the benefit of Thomas J. Likins of Washington county;

An act for the relief of Wm. T. Courts;

An act to incorporate the Mobile and Ohio Rail Road Company;

An act to amend an act entitled an act to incorporate the town of Shieldsboro, and for other purposes;

On motion of Mr. Nash,

The orders of the day were suspended to enable him to introduce a communication addressed to the committee on ways and means in relation to the mode of assessing and collecting taxes in this State; which,

On his motion,

Was referred to the committee on ways and means.

The House then proceeded to the consideration of the Senate bill for the disposal of the 500,000 acres of land.

Mr. Whitmore, by permission, modified his amendment offered yesterday, as follows:

Be it further enacted, That the sum of one hundred and twenty thousand dollars, including the amount of the sinking fund now in the treasury, and such other sums as may hereafter come into the treasury on account of the sinking fund, be, and the same is hereby appropriated out of any money in the treasury on the first day of June next, for the payment of one year's interest on the bonds of this State, sold on account of stock in the Planters Bank: *Provided*, the interest that first becomes due, shall be first paid.

Mr. Duke moved, that the amendment be laid on the table,
Which was decided in the negative by yeas and nays, as follows:
Those who voted in the affirmative are,

Mr. Speaker, Messrs. Abbott, Alderson, Bardin, Brown, Brumfield, Byrn, Campbell of Desoto, Campbell of Franklin, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of T., Gatlin, Hancock, Harrington, Hinds, Holden, McLaurin, McWilliams, Melton, Metcalf, Nash, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thomas of M., Toulme, Walker, Weathersby, Whitfield, Wilson and Wooldridge—41.

Those who voted in the negative, are

Messrs. Arnold, Brooke, Bynum, Carroll, Catchings, Clayton, Cleveland, Collier, Dilworth, Foote of Noxubee, Ford, Foree, Fortson, Garrett, Godfrey, Hall, Hamer, Henry, Hogue, Houston, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McInnis,, Moore Myers,, Nailor, Neely, Neill, Noble, Sanders, Simrall, Slade, Snith, Thames, Thomas of Yazoo, Torrey, Trigg, Valentine, Weir, West of Wayne, West of Holmes, White, Whitmore, and Yerger—48.

Mr. Yerger moved to strike out, one hundred and twenty thousand, and insert in the amendment, two hundred and forty thousand.

Mr. Whitmore moved to lay the amendment on the table,

Which was decided in the affirmative by yeas and nays, as follows:

Those who voted in the affirmative are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Clayton, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Garrett, Gatlin, Harrington, Hill, Hinds, Hogue, Holden, Huie, Liddell, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Neely, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Smith, Thames, Thomas of Marshall, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, Wilson and Wooldridge—58.

Those who voted in the negative are,

Messrs. Brooke, Bynum, Catchings, Cleveland, Collier, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Houston, Johnston, Lynch, Mason, McInnis, Nailor, Neill, Sanders, Simrall,

Slade, Smith, Thomas of Yazoo, Torrey, Weir, West of Wayne, West of Holmes, White and Yerger—31.

The question recurring on the adoption of the amendment offered by Mr. Whitmore, the House,

On motion of Mr. Walker,

Adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

A message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act for the benefit of convicts in in the penitentiary of the State;

A bill to be entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved February 28th, 1846;

A bill to be entitled,

An act to incorporate the Noxubee and Bigbee Road Company;

A bill to be entitled,

An act for the relief of the officers and privates of company I of the Marshall Guards of the first regiment of Mississippi rifles;

A bill to be entitled,

An act for the relief of the administrators of James S. Stockard, deceased;

In which I am instructed to desire the concurrence of the House of Representatives.

The president of the Senate did, on this day, sign the acts from the House of the following titles, to-wit:

An act to incorporate the Ohio and Mobile Rail Road Company;

An act to incorporate the town of Philadelphia, in Neshoba county;

An act to provide the mode of administering the oath of office to all newly elected county officers;

An act to change the time of holding the District Chancery Court at Carrollton, and the Circuit Court of Holmes county;

An act to divide the 37th regiment, Mississippi militia;

An act to amend an act entitled an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843.

The Senate have passed the House bills of the following titles, to-wit:

An act to be entitled,

An act to legalise the public roads in Coahoma county;

An act for the relief of James S. Bailey;

A bill to be entitled,

An act to amend an act incorporating the Homochitto Turnpike and Bridge Company, approved 15th February, 1838;

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones, Rankin and Scott, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

A bill to be entitled,

An act to incorporate the Holly Springs Rail Road Company.

The Senate have passed the resolutions from the House of the following titles, to-wit:

A resolution of the State of Mississippi in commemoration of the 22d February;

Resolutions asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals.

On motion of Mr. Moore,

The Senate bill entitled,

An act to authorise Wm. B. Reed and Richard A. Howard to construct a turnpike road across the Noxubee swamp near Macon, was called up and read the first time.

On motion of Mr. Moore,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

On motion of Mr. Catchings,

The Senate bill to be entitled,

An act to extend the corporate limits of the city of Jackson, was called up,

And read the first time.

On his further motion,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 Mr. Stanton, by leave, introduced a bill to be entitled,
 An act to give effectual relief in forcible and unlawful entry
 and detainer;
 Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second time,
 And referred to the judiciary committee.

On motion of Mr. Ray,
 The bill to be entitled,
 An act to incorporate the town of Oakland, in Yalobusha county,
 was called from the orders of the day.

On his further motion,
 The rules were suspended,
 The bill read the third time by its title, and passed.
 Mr. Henry, by leave, introduced a bill to be entitled,
 An act supplementary to an act, passed at the present session,
 entitled an act to amend an act, entitled an act to incorporate the
 Canton and Jackson Rail Road Company, approved February 5th,
 1841;

Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The House then proceeded to the consideration of the Senate
 bill for the disposal of the 500,000 acres of land.

The question was then taken on the amendment offered by Mr.
 Whitmore, and decided in the affirmative by yeas and nays, as
 follows:

Those who voted in the affirmative are,
 Messrs. Arnold, Brooke, Bynum, Catchings, Cleveland, Collier,
 Dilworth, Foote of Noxubee, Ford, Force, Fortson, Garrett, Hall,
 Hamer, Henry, Houston, Huie, Johnston, Liddell, Lynch, Mason,
 McAfee, McInnis, Moore, Myers, Nailor, Neely, Neill, Sanders,

Simrall, Slade, Smith, Stanton, Steele, Steger, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Valentine, Walker Weir, West of Wayne, West of Holmes, White, Whitmore and Yerger—48.

Those who voted in the negative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Bardin, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Clayton, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of Tippah, Gatlin, Hancock, Harrington, Hill, Hinds, Hogue, Holden, McLaurin, McWilliams, Melton, Metcalf, Nash Noble, Phillips, Ray, Stewart, Suratt, Thames, Toulme, Weathersby, Whitfield, Wilson and Wooldridge—43.

Mr. Brooks offered the following amendment:

Strike out the words six dollars where they occur and insert three dollars.

The question was then taken on striking out, and decided in the negative by yeas and nays, as follows:

Those who voted in the affirmative are,

Messrs. Brooke, Campbell of De Soto, Campbell of Franklin, Cleveland, Foote of Noxubee, Ford, Foree, Hamer, Hancock, Henry, Holden, Liddell, Mason, McInnis, Moore, Myers, Nailor, Nash, Ray, Sanders, Simrall, Slade, Smith, Thomas of Yazoo, Weir, West of Wayne, West of Holmes, White, Wilson and Yerger—30.

Those who voted in the negative are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Brumfield, Bynum, Carroll, Catchings, Clayton, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Fortson, Garrett, Gatlin, Hall, Harrington, Hill, Hinds, Hogue, Houston, Huie, Johnston, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Neely, Neill, Noble, Phillips, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore and Wooldridge—59.

Mr. Brooke offered the following amendment:

In sixth section strike out the words, "and was at the time of the location thereof" and insert in lieu thereof, "or shall be at the time of sale."

Mr. Whitfield offered the following amendment to the amendment:

Amend the amendment by striking out the sixth section.

Mr. Nash moved that the House adjourn until to-morrow morning half past 9 o'clock;

Which was decided in the negative by yeas and nays as follows:

Those who voted in the affirmative are,

Messrs. Brooke, Campbell of De Soto, Campbell of Franklin, Clayton, Cleveland, Cushman, Cypert, Ford, Force, Fortson, Gatlin, Godfrey, Hall, Hamer, Houston, Liddell, Mason, McAfee, Nash, Sanders, Slade, Smith, Stanton, Thomas of Yazoo, Weir, West of Wayne, West of Holmes, White Wilson and Wooldridge—30.

Those who voted in the negative, are,

Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Brumfield, Bynum, Byrn, Carroll, Catchings, Collier, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Garrett, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Johnston, Lynch, McInnis, McLaurin, McWilliams, Melton, Metcalf, Moore, Myers, Nailor, Neely, Neill, Noble, Phillips, Ray, Simrall Steele, Stewart, Steger, Suratt Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore and Yerger—60.

Mr. Hill moved that the amendments be laid on the table.

Mr. Hancock moved that the House adjourn until to-morrow morning half past 10 o'clock;

Which was lost.

Mr. Moore moved that the House adjourn until a quarter past 10 o'clock to-morrow morning;

Which was lost.

On motion of Mr. Stanton,

The House adjourned until to-morrow morning quarter past 9 o'clock.

FRIDAY, FEBRUARY 18, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Rev. Mr. Hoskins of the city of Jackson.

Mr. Nash presented the petition of Lucinda Jordan and others,

citizens of the county of Coahoma, praying the passage of an act for her relief; which,

On his motion,

Was referred to the judiciary committee.

Messrs. Johnston, White, Brooke, Thames, Dampier and Arnold presented sundry claims;

Which were referred to the committee on claims.

Mr. White presented the petition of sundry citizens of the county of Hinds, praying that the act establishing the Jackson male and female academy be amended; which,

On his motion,

Was referred to the committee on education.

Mr. Fortson presented the petition of J. G. Pendleton, a citizen of the county of Monroe, praying an amendment to the law of 1846, in relation to orphans; which,

On his motion,

Was referred to the committee on propositions and grievances.

On motion of Mr. Metcalf,

Leave of absence was granted Mr. Clayton for a few days.

Mr. Phillips presented the petition of sundry citizens of Chulahoma, in the county of Marshall, praying the revival of the act incorporating said town; which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee Messrs. Phillips, Bardin and McWilliams.

A message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of Thomas Blewitt Godbold;

A bill to be entitled,

An act to legalize the sale of the sixteenth section in township six, range sixteen east, in the county of Lauderdale;

A bill to be entitled,

An act to prevent the obstruction of navigable streams;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to add certain counties therein named to the southern Vice Chancery district;

A bill to be entitled,

An act to repeal an act entitled an act to provide for the funding the treasury warrants of the State of Mississippi, issued prior to the first of January 1841, approved Feb. 6, 1841;

A bill to be entitled,

An act to exempt certain property therein named from execution and sale;

A bill to be entitled,

An act to prescribe the duties of the librarian and keeper of the capitol;

A bill to be entitled,

An act for the relief of Wiley C. Edwards.

Mr. Catchings presented the memorial of sundry citizens of the county of Madison, praying that a certain portion of Madison county be attached to the county of Hinds; which,

On his motion,

Was referred to the committee on county boundaries.

The following message from his excellency, the Governor, by Mr. Jones, his private secretary:

MR. SAEAKER—I am instructed by his excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to extend the time of holding the probate court of Nox-ubee county;

An act for the benefit of Thomas J. Likins, of Washington county;

A resolution granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers;

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

An act to change the time of holding the regular terms of the police court of Hancock county;

An act for the relief of William T. Courts;

An act to provide the mode of administering the oath of office to all newly elected county officers;

An act to divide the 37th regiment Mississippi militia;

An act to change the time of holding the district Chancery Court at Carrollton, and the circuit court of Holmes county;

An act to incorporate the town of Philadelphia in Neshoba county;

An act for the relief of Augustus Pitchford of Holmes county;

An act for the relief of the State Hospital of Mississippi at Natchez;

An act to amend an act entitled an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843;

An act to authorize the citizens of Hancock county to locate the seat of justice of said county and for other purposes;

An act to authorise P. W. Hemphill, James Liddell, *et. al.*, to erect a bridge or ferry over Big Black river and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same;

An act to incorporate the Mobile and Ohio rail road company.
Approved Feb. 17, 1848.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to change the time of holding the district Chancery Court at Carrollton, and the circuit court of Holmes county;

An act to amend an act entitled an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843;

An act to divide the 37th regiment Mississippi militia;

An act to provide the mode of administering the oath of office to all newly elected county officers;

An act to incorporate the town of Philadelphia, in Neshoba county;

An act for the relief of L. D. Perry;

And have also examined bills of the following titles, to-wit:

An act to incorporate the town of Pass Christian in the county of Harrison;

An act to amend the act incorporating the Homochitto turnpike and bridge company, approved 15th Feb. 1838:

An act to legalize the public roads in Coahoma county;

An act for the relief of James S. Bailey;

A resolution of the State of Mississippi in commemoration of the 22d February;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

And have found the same correctly enrolled.

Mr. Connell from the joint standing committee on claims, to whom was referred the memorial of Thomas Pleasants, reported the same back to the House with a bill to be entitled,

An act for the relief of Thomas Pleasants, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

And the bill read the second time.

On his further motion,

The House resolved itself into committee of the whole forthwith on said bill, Mr. Liddell in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House without amendment, and recommended its passage;

Which was received and agreed to.

On motion of Mr. Connell,

The rule was suspended,

The bill read the third time,

And passed with its title as stated.

Mr. Connell from the same committee, to whom was referred a bill to be entitled,

An act for the relief of James E. Matthews, reported the same back to the House with an amendment, and recommended its passage as amended.

Mr. Connell moved that the report be received and agreed to.

A division being called for, the question was first taken on receiving,

And decided in the affirmative.

Mr. Brooke offered the following amendment to the report:

Be it further enacted, That the several assessors of the State

for the years 1846 and 1847, be allowed for the assessments of the years 1846 and 1847 the sum of two per cent on the amounts of said assessment, in addition to what they have heretofore received, and that the Auditor of Public Accounts be, and he is hereby required to audit their claims for said sums, and issue his warrants accordingly;

Which was lost by yeas and nays as follows:

YEAS—Messrs. Brooke, Campbell of Franklin, Ford, Foree, Henry, Johnston, McAfee, Myers, Nash, Weathersby, Weir, West of Wayne, West of Holmes, and Yerger—14.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brumfield, Bynum, Byrn, Campbell of De Soto, Carroll, Cleveland, Collier, Connell, Cushman, Dampier, Davis Dilworth, Duke, Echols, Ellis, Fortson, Gatlin, Hall, Hamer, Hancock, Harrington, Hill, Hinds, Hogue, Houston, Holden, Huie, Liddell, Lynch, Mason, McInnis, Melton, Metcalf, Moore, Nailor, Neely, Neill, Noble, Sanders, Slade, Smith, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Torry, Toulme, Trigg, Walker, Whitfield, Whitmore and Wilson—59.

On motion of Mr. Walker,

The report was laid on the table.

Mr. Cushman from the judiciary committee, to whom was referred the bill to be entitled,

An act to amend an act to secure to the owners of slaves executed by sentence of the law compensation for the same, reported the same back to the House without amendment and recommended its passage;

Which was received and agreed to;

The bill read the third time,

And passed with its title as stated.

Mr. Cushman from the same committee, to whom was referred a bill to be entitled,

An act to amend the several laws of the State regulating the proceedings and practice of the High Court of Errors and Appeals and for other purposes, reported the same back to the House with an amendment, and recommended its passage as amended:

Which was received and agreed to.

Mr. Simrall offered the following amendment:

Be it further enacted, That on Friday of each week assigned to

the docket of the three districts, said court shall call the docket of said districts, and take for decision all cases ready for submission by consent of parties or their counsel, and shall continue said call continually on said days until the docket of the several districts has been called through; and said court shall not, on said days hear oral arguments in any cause until said docket has been called through; and that on said days said call shall have precedence of all other business;

Which was adopted,

And the bill as amended ordered to be engrossed for a third reading on to-morrow.

Mr. Cushman from the same committee, to whom was referred a bill to be entitled,

An act to amend an act entitled an act to reduce into one the several acts concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans and other representatives of deceased persons, passed November 23, 1841, revised code 42, reported the same back to the House and recommended that it do not pass;

Which was received and agreed to.

Mr. Cushman from the same committee, to whom was referred a bill to be entitled,

An act for the benefit of justices of the peace and other persons, reported the same back to the House with an amendment, and recommended its passage as amended;

Which was received and agreed to, and the bill as amended, ordered to be engrossed for a third reading on to-morrow.

Mr. Cushman from the same committee, to whom was referred the resolution to take into consideration the propriety of drafting a law to provide for the trial by three or more magistrates and a jury, of all slaves or free negroes for crimes or misdemeanors now triable in the circuit court, reported unfavorably to the objects of said resolutions, and asked to be discharged from the further consideration thereof;

Which was received and agreed to.

Mr. Huie from the committee on propositions and grievances, to whom was referred the petition of Silas L. Steen, reported the same back to the House with a bill to be entitled,

An act for the relief of Silas L. Steen;

Which was received and agreed to,

And the bill read the first time.

Mr. Huie moved that the rule be suspended;

Which was lost.

On motion of Mr. Huie,

The report of the committee on propositions and grievances in relation to the communication of G. W. H. Brown, was called from the table, on which said committee had reported unfavorably, and the report agreed to, and Mr. Neill permitted to withdraw the memorial.

Mr. Simrall from the joint select committee, to whom was referred a joint resolution to inquire into the expediency of publishing only the public acts and resolutions of the Legislature, and also a resolution of the House to inquire into the expediency of letting out the public printing to the lowest bidder, reported the same back to the House with a bill to be entitled,

An act to regulate the public printing, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the committee of the whole house for Monday next.

Mr. Fortson from the select committee, to whom was referred the proposition to amend or abolish the special act of 1846, in relation to section line roads in the counties of Monroe, Noxubee, and Choctaw, reported a bill to be entitled,

An act to amend the road laws of Monroe county, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Brown from the select committee, to whom was referred the memorial of sundry citizens of Oxford and vicinity, reported the same back to the House with a bill to be entitled,

An act to prohibit the sale of vinous and spiritous liquors with in five miles of the University of Mississippi, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the socond and third time forthwith,

And passed with its title as stated.

Mr. Hancock moved that the bill in relation to hawkers and pedlars be called from the orders of the day;

Which was lost.

Mr. Arnold by leave, introduced a bill to be entitled,

An act to amend an act approved 10th day of February, A. D. 1844, entitled an act to reduce the fees of certain officers therein named;

Which was read the first time.

On his motion,

The rule was suspended;

The bill read the second time, and referred to the judiciary committee.

Mr. Dilworth by leave, introduced a bill to be entitled,

An act to amend the fifth section of the thirty-first chapter of Howard and Hutchinson, in regard to marriage license;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time, and referred to the judiciary committee.

Mr. Suratt by leave, introduced a bill to be entitled,

An act to reduce the taxes on merchandise sold by auctioneers;

Which was read the first time.

Mr. Surat moved that the rule be suspended;

Which was lost.

Mr. Suratt by leave, introduced a bill to be entitled,

An act to change the name of Tishemingo county;

Which was read the first time.

On his motion,

The rule was suspended, and

The bill read the second time.

On motion of Mr. Liddell,

The third section of the bill was stricken out.

Mr. Brooke moved to amend by striking out "Quitman" and insert "Taylor."

Mr. Cypert moved that the bill be referred to a select committee of three.

Mr. West moved that it be referred to the committee on internal improvements.

Mr. Connell moved that the bill and amendment be laid on the table the balance of the session;

Which motion having precedence, was taken and decided in the negative.

The question was then taken on referring the bill to the committee on internal improvements,

And decided in the negative.

The question was then taken on referring the bill and amendments to a select committee of three,

And decided in the affirmative.

The Chair appointed as said committee Messrs. Dilworth, Walker and Suratt.

The unfinished business was then considered, and the question recurred on the motion of Mr. Hill to lay the amendment offered by Mr. Brooke, together with the amendment to the amendment offered by Mr. Whitfield, on the table.

The question was taken and decided in the affirmative.

Mr. Nash offered the following amendment:

Amend by additional section.

Be it further enacted, That all lands located in this State under grant from the general government, which has been paid for by the settler on the same, and for which he or she may have paid the government of the United States, and received from the proper officer a certificate of the same, is hereby protected in his or her right, and said claimant or holders are hereby required to register his or her certificate in the office of the Secretary of State by the first day of June next, in a book to be prepared by the Secretary for said purpose; and the Governor shall take all necessary steps to secure other lands from the government in lieu thereof.

Which was lost.

Mr. West of Holmes offered the following amendment, by way of additional section:

Be it further enacted, That the actual settlers at the time of the passage of this act, shall be entitled to one hundred and sixty acres of land, at the minimum price of one dollar and twenty-five cents per acre: *Provided, however,* that they do not own lands in this State or any other State or territory in the United States.

Mr. Whitfield moved to lay the amendment on the table.

Which was decided in the affirmative by yeas and nays as follows,

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Franklin, Carroll, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of N., Foote of Tippah, Fortson, Garrett, Gatlin, Hall, Hancock, Harrington, Hill, Hinds, Hogue, Houston, Huie, Liddell, Lynch, Mason, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, Wilson, and Wooldridge—67.

NAYS—Messrs. Brooke, Campbell of Desoto, Foree, Hamer, Holden, Johnston, McInnis, Myers, Nailor, Nash, Sanders, Slade, Smith, Thomas of Yazoo, West of Wayne, Weir, West of Holmes, White, and Yerger—19.

Mr. Stanton moved to reconsider the vote taken on yesterday on the adoption of the amendment offered by Mr. Whitmore.

Mr. Weir moved a call of the House;

Which was lost.

The question was then taken on the motion to reconsider, and decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of Tippah, Fortson, Garrett, Gatlin, Hancock, Harrington, Hill, Hinds, Hogue, Houston, Huie, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Myers, Neely, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Wilson, and Wooldridge—59.

NAYS—Messrs. Brooke, Bynum, Catchings, Cleveland, Collier, Dilworth, Foote of Noxubee, Foree, Godfrey, Hall, Hamer, Hen-

ry, Holden, Johnston, Liddell, Mason, McInnis, Nailor, Nash, Neill, Sanders, Simrall, Slade, Smith, Thomas of Yazoo, Weir, West of Wayne, West of Holmes, White, Whitmore, and Yerger—31.

Mr. Godfrey moved that the House take a recess until 3 o'clock; Which was lost.

Mr. Cushman moved that the amendment be laid on the table.

Mr. Weir moved for a call of the House, which was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Brooke, Cleveland, Foree, Fortson, Gatlin, Godfrey Hamer, Mason, McInnis, Myers, Nailor, Nash, Neill, Noble, Simrall, Smith, Thomas of Yazoo, Weir, West of Wayne, West of Holmes, White, and Yerger—22.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Garrett, Hall, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Huie, Liddell, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Neely, Phillips, Ray, Sanders, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Toulme, Trigg, Walker, Weathersby, Whitfield, Whitmore, Wilson, and Wooldridge—60.

The question was then taken to lay the amendment on the table, and decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of Tippah, Gatlin, Hancock, Hill, Hinds, Hogue, Huie, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Neely, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Toulme, Trigg, Walker, Weathersby, Whitfield, Wilson, and Wooldridge—52.

NAYS—Messrs. Brooke, Bynum, Catchings, Cleveland, Collier, Dilworth, Foote of Noxubee, Foree, Fortson, Garrett, Godfrey, Hall, Hamer, Henry, Holden, Houston, Johnston, Liddell, Mason, McInnis, Myers, Nailor, Nash, Neill, Sanders, Simrall, Slade, Smith, Thomas of Yazoo, Valentine, Weir, West of Wayne, West of Holmes, White, Whitmore, and Yerger—37.

Mr. Metcalf offered the following amendment:

No settler on said land shall be entitled to a preference unless he or she shall have complied with all the requirements of the laws of Congress provided for pre-emptors, or shall have purchased from the General Government the said land and paid for the same.

On motion of Mr. Nash,

The amendment was laid on the table.

Mr. Simrall offered the following amendment.

Amend, by adding to the first section, as follows:

Provided, that from and after the 1st day of March, 1849, any lands remaining unsold, may be subject to private entry at three dollars per acre.

On motion of Mr. Dilworth,

The amendment was laid on the table by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin Bond, Brown, Brumfield, Byrn, Campbell of Franklin, Catchings, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Fortson, Garrett, Gatlin, Hamer, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Huie, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Neely, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitmore, Wilson and Wooldridge—62.

NAYS—Messrs. Brooke, Bynum, Campbell of Desoto, Foree, Godfrey, Hall, Henry, Houston, Johnston, Liddell, Mason, McInnis, Nailor, Nash, Neill, Saunders, Simrall, Slade, Smith, Thomas of Yazoo, Weir, West of Wayne, West of Holmes, White, and Yerger—25.

Mr. Hamer moved that the House adjourn until 3 o'clock;
Which was lost.

Mr. Henry moved that the House adjourn until 3½ o'clock;
Which was lost.

Mr. Mason moved that the House adjourn until 4 o'clock;
Which was lost.

Mr. Henry moved to recommit the bill, with the amendments, to the committee of the whole, with instructions to amend the bill

by striking out of the 4th section the following words: the bonds of this State sold on account of the Planters bank, coupons of interest on the same.

On motion of Mr. Hinds,

The motion was laid on the table, by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bond, Brumfield, Byrn, Campbell of Franklin, Carroll, Catchings, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Garrett, Harrington, Hill, Hinds, Hogue, Huie, McAfee, McLaurin, McWilliams, Neely, Noble, Phillips, Ray, Simrall, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Walker, Weathersby, Whitfield, Whitmore and Wooldridge—50.

NAYS—Messrs. Bardin, Brooke, Brown, Bynum, Cleveland, Fortson, Gatlin, Hamer, Hancock, Henry, Holden, Houston, Johnston, Liddell, Lynch, Mason, McInnis, Melton, Metcalf, Myers, Nailor, Neill, Sanders, Slade, Smith, Thomas of Yazoo, Valentine, Weir, West of Wayne, West of Holmes, Wilson and Yerger—33.

Mr. Weir moved the previous question.

On motion of Mr. Stanton,

The motion was laid on the table by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Franklin, Carroll, Catchings, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Fortson, Garrett, Godfrey, Hancock, Harrington, Hill, Hinds, Hogue, Holden, Huie, Liddell, Lynch, McAfee, McLaurin, McWilliams, Melton, Neely, Neill, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, Wilson and Wooldridge, —62.

NAYS—Messrs. Brooke, Hall, Hamer, Henry, Houston, Johnston, Mason, McInnis, Metcalf, Nailor, Nash, Smedes, Smith, Thomas of Yalobusha, Weir, West of Wayne and Yerger—18.

Mr. Whitfield moved that the amendment be engrossed, and the bill read the third time;

Which was decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Franklin, Carroll, Catchings, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Garrett, Hill, Hinds, Hogue, Huie, Lynch, McAfee, McLaurin, McWilliams, Metcalf, Moore, Myers, Neely, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Whitfield, Whitmore, and Wooldridge—54.

NAYS—Messrs. Bardin, Brooke, Campbell of De Soto, Cleveland, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Houston, Johnston, Liddell, Mason, McInnis, Melton, Nailor, Nash, Neill, Sanders, Slade, Smith, Thomas of Yazoo, Weathersby, Weir, West of Wayne, White, Wilson and Yerger—31.

Mr. Houston moved that the House adjourn until half past nine o'clock to-morrow morning;

Which was lost.

Mr. Stewart moved that the House adjourn until 7 o'clock;

Which was lost.

Mr. Nailor offered the following amendment by way of rider:

Provided, that this act shall not take effect until after the people shall have voted an approval of the same.

On motion of Mr. Dilworth,

The amendment was laid on the table by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of Franklin, Carroll, Catchings, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Garrett, Gatlin, Hill, Hinds, Hogue, Huie, Liddell, Lynch, McLaurin, McWilliams, Metcalf, Moore, Myers, Neely, Neill, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, and Wooldridge—56.

NAYS—Messrs. Brooke, Bynum, Campbell of De Soto, Cleveland, Foote of Noxubee, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Houston, Johnston, Mason, McInnis, Melton, Nailor, Sanders, Smith, Thomas, of Yazoo, Weir, White, Wilson and Yerger—26.

Mr. Brooke offered the following amendment by way of ryder:

Provided that nothing contained in this act shall be considered a diversion of said lands from the purposes of internal improvement.

Mr. Houston moved that the House adjourn until 7 o'clock;

Which was lost.

On motion of Mr. Dilworth,

The ryder was laid on the table by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Brumfield, Bynum, Byrn, Carroll, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Echols, Ellis, Foote of Timpah, Garrett, Gatlin, Hancock, Hill, Hinds, Hogue, Huie, Liddell, McAfee, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Phillips, Ray, Stanton Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore and Wooldridge—54

NAYS—Messrs. Brooke, Campbell of Desoto, Campbell of Franklin, Catchings, Cleveland, Foote of Noxubee, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Houston, Johnston, Lynch, Mason, McInnis, McLaurin, Myers, Nailor, Nash, Sanders, Smith, Thomas of Yazoo, Weir, West of Holmes, White, Wilson and Yenger—29.

Mr. Foree moved that the House adjourn until half past 9 oclock;

Which was lost.

Mr. Henry offered the following amendment by way of ryder:

Provided the State shall issue under the great seal of the State, signed by the Governor and countersigned by the Secretary of State, the full amount of the bonds and coupons due by the State for the Planters Bank bonds so received into the treasury, of its bonds for internal improvement purposes, in such sums as shall not exceed fifty dollars which shall be receivable in payment of taxes due to said State and in payment of all other debts due the State until they shall all be redeemed or paid into the treasury.

On motion of Mr. Dilworth,

The ryder was laid on the table by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Catchings, Cleveland, Collier, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis,

Foote of Tippah, Garrett, Gatlin, Hamer, Hill, Hinds, Hogue, Huie, Liddell, Lynch, McLaurin, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Ray, Simrall, Stanton, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Whitmore, Wilson and Wooldridge—61.

NAYS—Messrs. Brooke, Foote of Noxubee, Ford, Foree, Fortson, Godfrey, Hall, Henry, Johnston, Mason, McInnis, Myers, Nailor, Nash, Sanders, Smith, Thomas of Yazoo, Weir, West of Holmes, and Yerger—20.

Mr. Yerger offered the following amendment by way of ryder:

Sec.—*Be it further enacted* That a seperate account shall be kept by the Treasurer to be called the 500,000 acre internal improvement fund, and all proceeds received from the sale of the lands within mentioned shall be kept seperate and apart from the general fund in the treasury and the State general improvement fund to be applied to the purposes for which the land was given.

On motion of Mr. Hinds,

The ryder was laid on the table by yeas and nays, as follows:

AYES—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Franklin, Carroll, Clayton, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Duke, Dilworth, Echols, Ellis, Foote of Tippah, Garrett, Gatlin, Harrington, Hill, Hinds, Hogue, Huie, Liddell, Lynch, McWilliams, Melton, Metcalf, Moore, Neely, Neill, Noble, Phillips, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Trigg, Toulme, Valentine, Walker, Weathersby, Whitfield, Whitmore Wilson and Wooldridge—59.

NAYS—Messrs. Brooke, Campbell of De Soto, Catchings, Foote of Noxubee, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Holden, Houston, Johnston, Mason, McInnis, McLaurin, Myers, Nailor, Sanders, Simrall, Slade, Smith, Thomas of Yazoo, Weir, West of Wayne, West of Holmes, White and Yerger—30.

Mr. Hinds moved that the bill be now put upon its passage.

Mr. West, of Holmes, moved for a call of the House;

Which was lost.

The question was then taken on the passage of the bill as amended,

And decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bond, Brown, Brumfield, Byrn, Campbell of Franklin, Carroll, Catchings, Connell, Collier, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Garrett, Gatlin, Harrington, Hill, Hinds, Hogue, Huie, Liddell, Lynch, McAfee, McLaurin, McWilliams, Moore, Myers, Neely, Noble, Phillips, Ray, Simrall, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Whitfield and Wooldridge—55.

NAYS—Messrs. Bardin, Brooke, Bynum, Campbell of De Soto, Cleveland, Foote of Noxubee, Ford, Foree, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Holden, Houston, Johnston, Mason, McInnis, Melton, Metcalf, Nailor, Nash, Neill, Powell, Sanders, Slade, Smith, Thomas of Yazoo, Weathersby, Weir, West of Wayne, West of Holmes, Whitmore, Wilson and Yerger—36.

Ordered that the title stand as stated.

On motion of Mr. Whitfield,

The House adjourned until to-morrow morning 10 o'clock.

SATURDAY, FEBRUARY 19, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Frazee of the city of Jackson.

Mr. Cushman, from the judiciary committee to whom was referred the bill to be entitled an act to substitute copies of lost papers in lieu of the original, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to.

Mr. Cushman, from the same committee to whom was referred the petition of sundry citizens of Carroll county, praying a change in the law regulating the licensing of groceries, reported the same back to the House and recommended that it would be inexpedient to grant the prayer of said petitioners; and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Cushman, from the same committee to whom was referred

the bill to be entitled an act to provide for the authentication of deeds, bills of sale, powers of attorney and relinquishments of dower, made in any other State, reported the same back to the House with an amendment, and recommended its passage as amended;

Which was received and agreed to.

On motion of Mr. Cushman,

The amendment was considered as engrossed,

The bill read the third time,

And passed with its title as stated.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to remove the Vice Chancery Court from Fulton to Aberdeen, and for other purposes;

A bill to be entitled,

An act to prevent the sacrifice of property sold under execution, and for other purposes;

An act to authorise the Governor to commute punishment in certain cases.

The President of the Senate did, on yesterday, sign the acts from the House of the following titles, to-wit:

An act to amend the act incorporating the Homochitta Turnpike and Bridge Company, approved 15th February, 1838;

An act to incorporate the town of Pass Christian, in the county of Harrison;

An act to legalize the public roads in the county of Coahoma;

An act for the relief of James S. Bailey.

The President has also signed the resolutions from the House of the following titles, to-wit:

A resolution of the State of Mississippi in commemoration of 22d February;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals.

The Senate have passed the Senate bills of the following titles, to-wit:

An act to amend an act for the licensing billiard tables, approved 23d February, 1844;

A bill to be entitled,

An act to repeal an act entitled an act to incorporate the town of Greensboro and repeal all other acts incorporating the same, approved 18th February 1846, and for other purposes;

A bill to be entitled,

An act to provide for the appointment of deputy clerks in vacation;

A bill to be entitled,

An act concerning the code of Mississippi, which is amended by way of ryder;

In all of which I am instructed to desire the concurrence of the House of Representatives.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have examined bills of the following titles, viz:

An act to authorize William B. Reid and Richard A. Howard to construct a turapike road across Noxubee swamp near Macon;

An act to extend the corporate limits of the city of Jackson;

An act to incorporate the Holly Springs rail road company;

And have found the same correctly enrolled.

Mr. Dilworth from the select committee, to whom was referred the response of the trustees of the State Library, to the resolution of the House in relation to the books purchased for the Library during the last two years, made the following report,

MR. SPEAKER—The committee to whom was referred the response of the trustees of the State Library, to the resolution of the House in relation to the books purchased for the Library during the last two years, beg leave to report:

That, having investigated the subject committed to them with some care, they are satisfied that the great object of the Legislature by the passage of the act of Feb. 15, 1838, has been but feebly seconded by the agents to whom that important duty was entrusted. The design of the Legislature by that act, as appears from its title, was "an act to provide for a State Library." No law that the Legislature ever passed was founded in greater wisdom, and few, if any, ever looked to higher and nobler results. It laid the foundation for a Library by an appropriation of \$3000, which

sum was judiciously expended by Governor McNutt. A small annual expenditure was also authorized by the same law for the "gradual enlargement" of the Library, and a small sum for contingencies. Had these amounts been expended from year to year, with the discrimination, learning and judgment with which the work was begun, we should now have had a Library embracing many valuable works upon most of the departments of human knowledge; but your committee regret to say that this has not been done.

By the act referred to, the "governor, the judges of the High Court of Errors and Appeals, the chancellor of the Superior Court of Chancery, the Secretary of State, and the Auditor of Public Accounts, and Attorney General, for the time being, and their successors in office, were appointed trustees of the State Library, and were invested with authority to make such needful rules for its regulation and government as they should think proper. Rules were accordingly adopted; but so far as your committee can discover, they have been productive of no good result in protecting the Library from depredation, or in contributing to its gradual increase and improvement, or in the achievement of the wise and laudable purpose for which it was founded. On the contrary, the rules and regulations appear to be a dead letter. Not less than two hundred volumes of books have disappeared from the Library, and no clue can be found to the discovery of them. Every thing relating to the action of the trustees is involved in confusion. The orders for books, the requisitions upon the treasury, the bills and accounts for purchases, the minutes of the board of trustees, if there are any, the fines, forfeitures or collections for lost or injured books—all, all is a perfect blank. There has been no biennial report from the trustees, nor can we discover three annual meetings of the trustees—both of which are required by law. Your committee can learn nothing satisfactory as to the accountability or responsibility of the agents who have had charge of the Library; but enough has been disclosed in response to the inquiries which have been instituted, to show that there have been great abuses in the expenditure of the appropriations for books, which call loudly for a corrective at the hands of the Legislature.

By the communication of the trustees, it appears that since July 1845, the sum of \$1,720 43 has been expended for law books alone, and the meagre sum of \$218 82 for all other works. Of

the vast number of valuable works published upon politics, science and the useful arts, so necessary to all men having charge of high public trusts under the government, and so indispensable to a State Library, not a volume has been purchased! Your committee have not sought to learn whose profound judgment the State is indebted to for the important discovery that a State Library should be composed almost exclusively of law books. On the contrary, they have avoided that inquiry as well as the kindred one, who is responsible for these long and continued and gross abuses. It is sufficient to know that they exist, and that it is the duty of the Legislature to apply a remedy. We owe it to ourselves, but above all, we owe it to those who shall come after us, in some sort to endeavor to keep up with the progressive and expansive spirit of the age in human knowledge and improvement. And next to the establishment of a system of common schools, there is nothing which so strongly claims the steady fostering care of the Legislature as the State Library, so wisely founded in 1838, and now so shamefully neglected and languishing. To accomplish this object, nothing more is necessary than a judicious and prudent use of the means placed at the disposal of the trustees for that purpose, together with a proper system of checks and balances, full and complete record and account of books, a fixed accountability under adequate penalties; a requirement that all and every expenditure on account of the Library shall be duly audited and allowed, and adequate guards thrown around the State's property in the Library to protect it from depredation and loss. To attain these objects, your committee report a bill, which they recommend to the favorable consideration of the House, accompanied with a bill to be entitled,

An act for the better regulation of the State Library;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Dilworth,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Whitmore,

The bill for the further endowment of the University of Mississippi was called from the table.

On motion of Mr. Cushman,

■ The House resolved itself into committee of the whole forthwith on said bill, Mr. Connell in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House with sundry amendments thereto, and recommended its passage as amended;

Which was received and agreed to;

The amendments considered as engrossed,

And the bill read the third time,

And passed with its title as stated.

Mr. Stanton by leave, introduced a bill to be entitled,

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed Feb. 10, 1818;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Metcalf from the select committee, to whom was referred the petition of sundry citizens of the county of Scott, reported a bill to be entitled,

An act to regulate suits in justices courts in the counties of Scott, Rankin, and Smith, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

Mr. Metcalf moved a suspension of the rules;

Which was adopted,

And the bill read the second time.

On motion of Mr. Hill,

The bill was amended by inserting the county of Copiah after the county of Smith.

On motion of Mr. Ray,

■ The county of Yallobusha was inserted.

On motion of Mr. Hamer,

The county of Tippah was inserted.

On motion of Mr. Yerger,

The county of Washington was inserted.

On motion of Mr. Nash,

The county of Coahoma was inserted.

On motion of Messrs. Sanders and Byrn,

The counties of Attala and Tunica were inserted in the bill.

Mr. Phillips moved that the bill and amendments be laid on the table;

Which was lost.

On motion of Mr. Yerger,

The bill and amendments were recommitted to the same committee.

Mr. Hancock by leave, introduced a bill to be entitled,

An act to amend an act entitled an act to establish a vice chancery court in the northern district of the State of Mississippi;

Also to amend an act entitled an act to establish a vice chancery court in the southern district of the State of Mississippi;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. Foote of Noxubee, by leave, introduced a bill to be entitled

An act to amend an act entitled an act to regulate the practice and proceedings in the action of ejectment and for other purposes, approved March 5, 1846;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

Mr. Simrall moved a suspension of the orders of the day to call up a bill;

Which was lost.

The messages from the Senate taken up.

The Senate bill entitled,

An act to amend an act to authorize the mayor and aldermen of the city of Jackson to erect a bridge across Pearl river,

Was read the first time.

The Senate bill entitled,

An act for the election of the clerk of the Superior Court of Chancery,

Was read the first time.

On motion of Mr. Stewart,

The rule was suspended,

The bill read the second time and referred to the judiciary committee.

The Senate bill entitled,

An act to establish a ferry across Yazoo river at the city of Yazoo, Yazoo county,

Was read the first time.

On motion of Mr. Slade;

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act in relation to calling a convention to amend the constitution of the State,

Was read the first time.

On motion of Mr. Dilworth,

The bill was laid on the table and 200 copies ordered to be printed.

The Senate bill entitled,

An act to abolish the office of State architect,

Was read the first time.

On motion of Mr. Duke,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th Feb. 1844, so far as the same relates to the counties of Harrison and Smith,

Was read the first time.

On motion of Mr. Bond,

The rule was suspended;

And the bill read the second time.

Mr. Noble offered the following amendment:

Amend by striking out the county of "Smith," and insert the county of "Washington;"

Which was adopted.

On motion of Mr. Bond,

The amendment was considered as engrossed,

And the bill read the third time.

Mr. Byrn offered the following amendment by way of ryder:

Amend by inserting the county of "Tunica;"

Which was read the first time.

On motion of Mr. Byrn,

The rule was suspended,

The ryder read the second and third time forthwith and adopted.

Mr. Connell offered the following amendment:

Amend the title by striking out "Smith" and inserting "Washington and Tunica;"

Which was adopted, and the bill passed as amended.

The Senate bill entitled,

An act to define the boundary of Tunica county,

Was read the first time.

On motion of Mr. Byrn,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to authorize Israel Dille guardian of William H., Mary W. and Victoria D. Bowers, heirs of William H. Bowers, deceased, to sell certain real estate of said heirs,

Was read the first time.

On motion of Mr. Hancock,

The rule was suspended,

And the bill read the second time.

On motion of Mr. Yerger,

The bill was referred to the committee on the judiciary.

The Senate bill entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26, 1843, and Feb. 28, 1846,

Was read the first time.

On motion of Mr. Yerger,

The rule was suspended,

The bill read the second time and referred to the committee on the judiciary.

The Senate bill entitled,

An act to incorporate the town of Quitman in the county of Clarke,

Was read the first time.

On motion of Mr. Ellis,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Cleveland from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to amend the act incorporating the Homochitto turnpike and bridge company, approved 15th Feb. 1838;

An act to incorporate the town of Pass Christian in the county of Harrison;

An act to legalize the public roads in Coahoma county;

An act for the relief of James S. Bailey;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

A resolution of the State of Mississippi in commemoration of 22d February.

A message from the Governor by his private secretary Mr. Jones:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has this day approved and signed a memorial of the Legislature of the State of Mississippi to the Congress of the United States, now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river.

A message from the Senate by their messenger Mr. Tebo:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have concurred in the amendment made by the House to the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement.

The Senate have passed the Senate bill of the following title to-wit:

A bill to be entitled,

An act to authorize the State Commissioner or such person as

may by law have charge of the sinking fund, the seminary fund and town lot fund of the State, to compromise with debtors of said funds;

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Binds,

The House adjourned until Monday morning half past 9 o'clock.

MONDAY, FEBRUARY, 21, 1848.

The House met pursuant to adjournment.

Leave of absence was granted to Messrs. Steele, Ray and Nash, for a few days.

The following communication was received from the Commissioner of the Sinking Fund:

REPORT OF STATE COMMISSIONER IN RELATION TO SINKING FUND.

To Honl. John J. McRae,

Speaker of House of Representatives:—

In obedience to the resolution of the House of Representatives, I have the honor to submit the following list of debts belonging to the Sinking Fund, so far as the same has come to the knowledge of the undersigned, or of which he has derived information of them, containing the names of the parties thereto, and the amounts thereof; also a statement of the judgments rendered thereon, for what amount, against whom, and the date thereof. The vast majority of the judgments, it will be observed by their dates, were rendered previous to my appointment to office, and had been returned, and are unproductive, except a few credits applicable to some of the notes or judgments by the late Commissioners of the Sinking Fund, and since by the purchase of land, &c., but which the accruing interest has already or will soon absorb. The parties to the notes when executed, were doubtless good, but death, removals from the State and the revolution in the pecuniary affairs of many since, has caused a very different state of things. I have placed the greater portion of these claims in the hands of attorneys in different parts of the State for collection, but both their and my exertions to save the same, except where otherwise specified, have proved ineffectual. Many of the parties are doubtless hopelessly insolvent, others, no doubt, possess property in this or other States, but so shielded that no sheriff will levy without a bond of indemnity. This I possess no power to give. The fund owns lands to the amount of over thirty thousand acres—some of the lands being in lots, I cannot ascertain the precise number of acres—lying in the counties of Tallahatchie, Yallabusha, Carroll, Coahoma, Bolivar, Hinds, Copiah, Rankin and Scott. A small portion of these lands were taken in compromises, the residue were purchased under execution where nothing else could be had, and wherever so purchased by me, I was willing to let them go at a bid of \$1 25 per acre. The title to these latter lands are some of them conflicting.

Respectfully submitted,
February 19th, 1848.

J. R. YOUNG,
State Commissioner.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note No. 481 for \$372. Makers, Miles Owen. R. Abbey, D. F. Miller, Wm. Harris, Owen & Fortune.	Judgment in Adams against Miller, Harris, M. Owen and J. R. Fortune: 27th June, 1840; for - - - - -	\$419 50
Note no. 517 for \$1500. Makers, D. W. Connely, S. M. Lynch, B. A. Ludlow, A. L. Wilson.	Judgment in Adams against all Makers: 17th June, 1841; for - - - - -	1789 55
Note no. 340 for \$1600. Makers, L. Pitcher, Noah Barlow, C. A. Lacoste.	Judgment in Adams against makers: 18th June, 1841; for - - - - -	2152 45
Note no. 541 for \$1200. Makers, Wm. Harris, S. Murchison, Lewis Lum.	Judgment in Adams against makers: 18th June, 1841; for - - - - -	1509 00
Note no. 387 for \$1000. Makers, Sprague & Howell, Samuel Cotton, Arthur & Fulton.	Judgment in Adams against Howell, Cotton and Arthur: 18th June 1841; for - - - - -	1406 24
Note no 72 for \$116 66. Makers, S. Sprague. Francis E. Sprague, James Kemp, E. Montgomery.	Judgment in Adams against Montgomery: 18th June, 1841; for - - - - -	157 95
*Note no. 451 for \$3090. Makers, Robt. Bradley, F. Beaumont, J. C. Wilkins.	Judgment in Adams against makers: 25th May, 1842; for - - - - -	4406 63
Note no. 367 for \$1800. Makers, S. Sprague, Francis E. Sprague, Eli Montgomery.	Judgment in Adams against Montgomery: 18th June, 1841; for - - - - -	2580 00

Note no. 474 for \$1900. Makers, E. J. Pinkerton, Chas. A. Lacoste, Throckmorton & Patterson.	Judgment in Adams against Pinkerton, Lacoste and Patterson: 24th May, 1842; for	2707 00
Note no. 251 for \$2000. Makers, J. Russell, Jno. P. Smith, John Cameron.	Judgment in Adams against Russell and Cameron: 24th May, 1842; for - -	3179 17
Note no. 549 for \$3720. Makers, R. Abbey, Owen & Fortune, D. F. Miller and Bros. Wm. Harris.	Judgment in Adams against Abbey, Fortune, D. F. and G. W. Miller and Harris: 7th June, 1842; for - - - -	4983 25
Note no. 225 for \$5000. Makers, R. J. Walker, Jas. Duncan, Thos. Barnard, Jno. C. Potts, P. M. Lapicé.	Judgment in Adams against Walker, Barnard and Lapice: 7th June, 1842; for -	8133 31
Note no. 530 for \$5400. Makers, J. P. Smith. Thos. Barnard, Joshua James, jr. J. N. H. Wood.	Judgment in Adams against Barnard, James. Wood: 25th May, 1842; for - -	7287 00
Note no. 449 for \$4500. Makers, J. P. Smith. Owen and Fortune, Thos. Barnard.	Judgment in Adams against Owen and Fortune and Barnard: 25th May, 1842; for	6423 75
†Note no. 532 for \$4000. Makers, S. H. B. Black, F. Beaumont, Eli Montgomery, J. H. Van Court.	Judgment in Adams against all makers: 25th May, 1842; for - - - -	5354 00

*—Compromised and judgment transferred; amount for which compromised in hands of attorney—not yet paid over.

†—Returned nulla bona. \$3000 subsequently received by H. D. Mandeville, jr. attorney, late Commissioner of Sinking Fund, and held by him—claimed for fees. There is a probability that the residue of this debt will be paid by Van Court.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note no. 556 for \$2000. Makers, Saml. Cotton, Silas Lillard, Arthur and Fulton.	Judgment in Adams against Cotton, Lillard, and Arthur and Fulton: 25th May, 1842; for	\$2663 20
Note no. 500 for \$1650. Makers, S. F. McAlister, D. C. Michie, N. S. Nicholls.	Judgment in Adams against McAlister and Michie: 25th May, 1842; for - -	2313 16
Note no. 133 for \$1500. Makers, Barlow and Taylor, Arthur and Fulton, Andrew Brown, T. A. Faulconer.	Judgment in Adams against Barlow and Taylor, J. W. Arthur, Brown and Faulconer: 24th May, 1842; for - - -	2157 00
*Note no. 565 for \$5500. Makers, Nathl. Harrison, Ephes Gibson, Wm. Harris.	Judgment in Adams against Harrison and Harris: 24th May, 1842; for - -	7747 00
Note no. 403 for \$5500. Makers, F. Stanton J. C. Wilkins, Wm. M. Helm.	Judgment in Adams against all makers: 24th May, 1842; for	8409 00
Note no. 265 for \$450. Makers, S. Sprague, F. E. Sprague, E. Montgomery, Thomas Barnard.	Judgment in Adams against Montgomery and Barnard: 18th June, 1841; for -	672 00
Note no. 579 for \$2500. Makers, F. Beaumont, J. Beaumont. E. D. Cochran, adm'x.,	Judgment in Adams against all makers: 15th December, 1842; for - - -	3354 15
Note no. 578 for \$2000. Makers, J. Beaumont, F. Beaumont, Wm. H. Fox.	Judgment in Adams against all makers: 15th December, 1842; for - - -	2683 30

Note no. 584 for \$550. Makers, Barnard and McNeill, Jno. P. Smith, J. N. H. Wood.	Judgment in Adams against Barnard: 15th December, 1842; for - - -	689 82
Note no. 583 for \$2477 16. Makers, Barnard & McNeill, J. P. Smith, R. L. Throckmorton.	Judgment in Adams against Barnard: 15th December, 1842, for, say - -	2911 00
Note no. 558 for \$1080. Makers, Thos. Barnard, Jos. W. Tucker, J. N. H. Wood, Owen and Fortune.	Judgment in Adams against Barnard: 15th December, 1842; for - - -	1498 50
Note no. 547 for \$4500. Makers, Thos. Barnard, John P. Smith, C. Marsh.	Judgment in Adams against Barnard and Marsh: December 15th, 1842; for -	6206 25
Note no. 577 for \$2000. Makers, Saml. Hogg, Wm. M. Gwin, J. C. Wilkins.	Judgment in Adams against Gwin and Wilkins: 15th December, 1842; for -	2683 30
Note no. 580 for \$3137. Makers, F. Huston, E. M. Daingerfield, Wm. Harris.	Judgment in Adams against all makers: 15th December, 1842; for - - -	3970 76
Note no. 226 for \$5000, Makers, E. G. Howell, R. J. Walker, Thos. Barnard, John C. Potts, P. M. Lapice.	Judgment in Adams against all makers: 11th December, 1843; for - - -	8885 00
Note no. 314 for \$5504. Makers, R. J. Walker, E. G. Howell, P. M. Lapice.	Judgment in Adams against all makers: 11th December, 1843; for - - -	9415 00
†Note no. 565 for \$3000. Makers, E. P. Passmore, T. Rowan, Eli Montgomery.	Judgment in Adams against Rowan and Montgomery: 28th May, 1842; for -	3684 50
	Judgment in Adams against F. Stanton; for	297 87

615

*—Returned nulla bona. Suit since instituted in Louisiana, and now pending against the administrator of Epheus Gibson, dec'd. Debt, it is believed, will be saved.

†—Secured by deed of trust.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note no. 280 for \$1265. Makers, Montgomery Smith, W. Dix, Samuel Cotton.	Judgment in Adams against Cotton: 1841; for say (Judgment also against Dix: 1843; for)	\$1932 12
*Note no. 239 for \$6000. Makers, Charles C. Mayson, Perry Cohea, John A. Quitman.	Judgment in Adams against Cohea and Quitman: 7th June, 1843; for - -	9871 37
Note no. 359 for \$880. Makers, S. Sprague, Frances E. Sprague, Eli Montgomery, R. L. Throckmorton.	Damages in High Court, - - - Judgment in Adams against Montgomery: June, 1841; for - - -	493 55 1263 00
Note no. 345 for \$1000. Makers, Sprague & Howell, Saml. Cotton, Arthur and Fulton.	Judgment in Adams against W. B. Howell, Cotton and J. W. Arthur: June, 1841; for	1445 27
Note no. 278 for \$1000. Makers, Sprague & Howell, L. K. Fulton, S. Cotton.	Judgment in Adams against Howell and Cotton: June, 1841; for - - -	1467 72
†Note no. 256 for \$7000. Makers, Eli Montgomery, John Cameron, John Montgomery, Saml. Cotton.	Judgment in Adams against Eli Montgomery: June, 1841; for - - -	10,456 24
Note no. 167 for \$1000. Makers, W. C. Wade, endorsed by B. Wade.	Judgment in Adams against W. C. Wade: June, 1841; for, say - - -	1307 21
Note no. 510 for \$1000. Makers, Chas. Gyles, jr., H. Gridley, Noah Barlow, W. B. Howell.	Judgment in Adams against Gridley, Barlow and Howell: June, 1841; for - - -	1285 00

H—52	†Note no. 293 for \$5000. Makers, F. W. Green, Robert Y. Wood, James Payne.	Judgment in Jefferson against all makers: 15th June, 1839; for - - - - -	6253 00	817
	†Note no. 294 for \$5000. Makers, Jas. Payne, F. W. Green, Robert Y. Wood.	Judgment in Jefferson against all makers: 13th June, 1839; for - - - - -	6253 00	
	†Note no. 175 for \$5000. Makers, Thomas Elam, F. W. Green, Pleasant Elam.	Judgment in Jefferson against F. W. Green: 13th June, 1839; for - - - - -	6732 00	
	§Note no. 519 for \$5000. Makers, J. O. Hughes, Chas. Clark, Chas. West, Jno. H. Collier.	Judgment in Jefferson against all makers, 11th Nov. 1842, for \$6986; damages in high court \$349 30.		
	Note no. 508 for \$3000. Makers, R. C. Woolfolk, Nolan Stewart, Fielding Davis, W. C. S. Ventress.	Judgment in Wilkinson against Davis, 5th October, 1842, for - - - - -	3930 00	
	Note no. 527 for \$5000. Makers R. L. Throckmorton, S. G. Rowan, Jas. A. Girault.	Judgment in Wilkinson against Rowan, 5th October, 1842, for - - - - -	6875 00	
	Note no. 537 for \$5000. Makers, L. B. Markam, Vincent Golloway, M. Dorsey, Jno. Alston, S. Stewart, M. F. Markham.	Judgment in Warren circuit court against Stewart & Wm. F. Markham, 18th April, 1843, for - - - - -	7145 00	

*—Pending in High Court—debt good.

†—Note now in hands of Attorney for suit against other parties.—Some portion of the debt believed will be saved.

‡—In addition to levy, secured by mortgage.

§—All paid except damages in High Court.

||—Returned nulla bona. Judgment since obtained in Wilkinson against Stewart and Ventress, of Louisiana.—Debt, it is believed, will be saved.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment against whom rendered, and date.	Amount.
*Note no. 535 for \$2000. Makers, W. O. Aldridge, B. R. Truly, A. C. Downs.	Judgment in Warren against Alfred C. Downs. 9th May, 1843, for - - - -	\$1652 84
Note no. 437 for \$5000. Makers, Alex. McNeill, M. Harvey, Thos. Templeton.	Judgment in Warren against Templeton, 19th January, 1842, for - - - - (Judgment also against Armstead Burwell and Fred. Norcom, adm'rs of Alex. McNeill, deceased in Warren, Jan. 19th, 1842, for \$7,013, believed to apply to this note.)	7013 00
Note no. 398 for \$2750. Makers, E. C. Harkinson, D. McCaleb jr., Mark Valentine, Jos. Templeton, & co.	Judgment in Warren against Harkinson, McCaleb, and Valentine, 20th Jan., 1842, for Judgment in Warren against Angus, McNeill, James J. Chewning, and Nathaniel M. Wilkinson, 19th Jan., 1842, for - -	3994 50
†Note no. 23 for \$15,000. Makers, McNeill, Wilkinson, & co., Alex. McNeill.	Judgment against H. McNeill and Porter, 19th January, 1841, for - - - -	15,755 62
Note no. 442 for \$12,910. Makers, Hector McNeill, Alex. McNeill, D. M. Porter.	(Judgment also in Warren against Armstead Powell and Fre'k Norcom, adm'rs, of Ale'x McNeill dec'd, 19th January, 1842, for \$16,836 79, believed to apply to this note.)	18,141 00

Note no. 319 for \$4500. Makers, Wm. M. Gwin, S. Gwin, J. C. Mosby, Jas. M. Gwin.	Judgment in Warren against Wm. M. Gwin, Mosby, and Ja's M. Gwin, 25th January, 1842, for - - - - -	6766 25
Note no. 503 for \$500. Makers, J. W. Danks, Jas. C. Mosby, Wm. M. Gwin.	Judgment in Warren against Mosby and Gwin, 31st May, 1844, for - - - - -	819 42
Note no. 324 for \$2000. Makers, J. M. Gwin, J. W. Danks, J. C. Mosby.	Judgment in Warren against Mosby, 31st May, 1844, for - - - - -	3483 31
Note no. 538 for \$2000. Makers, Sam. H. Galloway, Vincent Galloway, L. G. Galloway, L. B. Markham, W. F. Markham.	Judgment in Warren against Sam'l W. Galloway, W. F. Markham, 31st May, 1844, for	3088 88
Note no. 493 for \$500. Makers, James Ainsworth, E. R. Brown, Geo. M. Barnes.	Judgment in Copiah against Brown and Barnes, May, 1842, for - - - - -	704 00
Note no. 453 for \$1000. Makers, R. B. Wiggins, Jno. Gustavus, Thos. Richards, T. J. Thompson, D. H. E. Beesly.	Judgment in Copiah against Gustavus, Thompson, Beesly, May, 1842, for - - - - -	1316 65
Note no. 564 for \$1100. Makers, Elisha Greenlee, R. & J. A. Miller, James Speed, D. McRae, J. H. Campbell.	Judgment in Copiah against Greenlee, R. and J. A. Miller, Speed, and McRae, May, 1842, for - - - - -	1519 50
Note no. 410 for \$1650. Makers, D. McRae, Jno. M. Scott, Elisha Greenlee, J. H. Campbell.	Judgment also in Hinds, vs Campbell. Jud'g. in Copiah against McRae and Greenlee, May, 1842, Jud'g. in Hinds, vs Campbell, for	2312 53

*—Returned nulla bona. Since bonded and executed a bond a bond now in sheriff's hands.
†—Credited by Commissioners of Sinking Fund, by \$8910 00, January 4th, 1837, and by \$8100 00, December 30th, 1835; a balance of interest still due.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment against whom rendered, and date.	Amount.
Note no. 536 for \$5750. Makers, Wm. Graves, Wm. Barnes, Sam. T. Scott, E. R. Brown, Geo. M. Barnes.	Judgment in Copiah against Graves, William Barnes, Brown, and G. M. Barnes, May, 1842, for - - - - -	\$7938 00
Note no. 354 for \$2500. Makers, E. D. Learned, L. Kennedy, Mason Reynolds, Wm. Barnes.	Judgment in Copiah against Kennedy and Barnes, May, 1843, for - - - - -	4083 33
Note no. 523 for \$1650. Makers, R. & J. A. Miller, Elisha Greenlee, J. H. Campbell, James Speed.	Judgment in Copiah against R. and J. A. Miller, Greenlee, and Speed, May, 1842, for (Judgment also in Hinds, vs Campbell.)	2200 00
Note no. 863 for \$6000. Makers, D. B. Egan, W. P. Harris, A. M. Wilson, Solm. Tracy, J. B. Read, Thos. Holliday.	Judgment in Copiah against Reed and Holliday, November, 1839, for - - - - -	9140 00
Note no. 571 for \$5000. Makers, Thos. J. Coffee, D. W. Haley, W. H. Shelton.	Judgment in Rankin against Coffee and Shelton, December, 1843, for - - - - -	7612 50
Note no. 408 for \$635 60. Makers, Thos. J. Coffee, Jno. W. King, D. W. Haley.	Judgment in Rankin against Coffee and King, December, 1843, for - - - - -	1072 43
*Note no. 235 for \$4500. Makers, D. W. Wright, R. A. Patrick, H. G. Runnels.	Judgment, December, 1838, - - - - -	5375 00

Note no. 219 for \$3000. Makers, Nehemiah Magee, Jno. Long, Rice Wells, S. M. Puckett, J. A. Ferguson.	Judgment in Hinds against Magee, Long Wells, and Puckett, 29th June, 1837, for	3175 00
Note no. 138 for \$1000. Makers, Jos Dawson, Wm. M. Gwin, W. Trahern, Upton Miller, G. R. Fall, J. P. Gilbert.	Judgment in Hinds against Dawson, Gwin, Trahern, Miller and Fall, 17th June, 1837, for - - - - -	1629 52
Note no. 48 for \$6000. Makers, Thos. Holliday, J. B. Reed, W. McGraw, J. J. Holliday, M. Reynolds, E. D. Learned.	Judgment in Hinds against Tho's Holliday, Reed, McGraw, J. J. Holliday, 24th January, 1838, for - - - - -	6666 43
Note no. 238 for \$5000. Makers, Jno. H. Mallory, H. K. Moss, H. G. Runnels, M. D. Patton.	Judgment in Hinds against Moss and Runnels, 4th June, 1840, for - - - - -	7190 60
Note no. 297 for \$3000. Makers, B. W. Benson, H. G. Runnels, M. D. Patton, John H. Mallory.	Judgment in Hinds against Runnels and Mallory, 10th February, 1842, for - - - - -	4674 00
Note no. 333 for \$1000. Messrs. J. S. Fall, G. R. Fall, Thos. Graves, Jno. Long, H. A. Hall, M. Wilson.	Judgment in Hinds against all makers, 7th October, 1840, for - - - - -	1275 00
†Note no. 325 for \$2000. Makers, Paschal H. Magee, Stubblefield and Dougherty, G. E. Beauchamp, James T. Lane, Daniel Thomas, and William Thomas.	Judgment in Hinds against Magee, Stubblefield, Dougherty, and Beauchamp, 8th February, 1842, for - - - - -	3016 66

*—Credited as per Commissioners of Sinking Fund, by 5301 dols., balance of interest still due.
†—A small portion of this debt (interest) still due—contested.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
*Note no. 275 for \$1000. Makers, E. T. Summers, John T. Knox, E. H. Watson, Robert Hughes.	Judgment in Hinds against David C Briggs adm'r de bonis non of John T Knox dec'd., June 20th, 1842, for - - - -	\$1575 00
†Note no. 512 for \$4500. Makers, R. A. Patrick, Robert Huges, W. C. Richards, H. G. Runnels.	Judgment in Hinds against all makers, 12th January, 1843, for - - - -	6652 50
Note no. 497 for \$1000. Makers, Jordan Elder, John B. Peyton, H. C. Stewart, John A. Steele.	Judgment in Hinds against Elder, Peyton and Stewart, 12th January, 1843, for - - - -	1150 00
Note no. 494 for \$5000. Makers, H. K. Moss, R. A. Patrick, Charles Lynch.	Judgment in Hinds against all makers, 12th January, 1843, for - - - -	7376 25
Note no. 456 for \$1500. Makers, H. B. Sutton, S. P. Baley, M. Wilson.	Judgment in Hinds against Baley and Wilson, 12th January, 1843, for - - - -	2231 00
Note no. 444 for \$2000. Makers, G. W. Terrell, G R Fall, Wm M Gwin, Geo Robinson, D W Haley.	Judgment in Hinds against Fall and Gwin, 12th January, 1843, for - - - -	2633 00
Note no. 446 for \$3000. Makers, W M Yates, G R Fall, W P Stone, G W Terrell, Geo S Menifee.	Judgment in Hinds against Fall and Stone, 12th January, 1843, for - - - -	3960 00

Note no. 496 for \$2000. Makers, Jno B Peyton, Jordan Elder, Hugh C Stewart, Wm O Chilton.	Judgment in Hinds against all makers, 12th January, 1843, for - - - - -	2640 00
Note no. 551 for \$2250. Makers, Ira C Williams, H W Dunlap, B H Cook.	Judgment in Hinds against Williams & Cook, 25th January, 1843, for - - - - -	2934 00
Note no. 513 for \$2500. Makers, Jacob F Foute, H W Dunlap, E D Fenner.	Judgment in Hinds against Foute, 14th July, 1843, for - - - - -	3629 16
Note no. 574 for \$4000. Makers, H A G Roberts, Rob't W Roberts, James McLaren.	Judgment in Hinds against H A G Roberts and Robert W Roberts, 14th July, 1843, for - - - - -	5816 66
Note no. 198 for \$2500. Makers, Robt Hughes, H K Moss, D C Young.	Judgment in Hinds against Hughes and Moss, 20th March, 1844, for - - - - -	4552 07
Note no. 400 for \$3663. Makers, H W Dunlap, J E Black, Rob't Hughes.	Judgment in Hinds against Dunlap & Hughes, 20th March, 1844, for - - - - -	6115 80
†Note for \$2500. Makers, T B J Hadley, Jno A Grimbail, R A Patrick, H K Moss.	Judgment in Hinds against Hadley, Grimbail, and Patrick, 12th June, 1838, for - - - - -	2951 38

623

*—Suit against Watson & Hughes—Watson released, a payment of \$500, and suit against Hughes, pending (in High Court.)

†—Suit against R. A. Patrick, F. S. Hunt, W. C. Richards, W. Yerger, Rob't Hughes, on writ of error, bond to recover amount of judgment, some of the parties good—pending.

‡—Suit against C. R. Clifton in special assumpsit on his liability to pay difference between \$1600, but (in 1843) assumed by him, and \$50 subsequent sale (in 1843) in consequence of his failure to pay—in High Court, believed to be good.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment against whom rendered, and date.	Amount.
*Note no. 125 for \$5000. Makers, F E Plummer, Hiram Coffee, Charles Lynch, Samuel M Puckett.	Judgment in Hinds against Sam'l M Puckett, Charles Lynch, Joseph W. Wade, H R Robertson, 28th June, 1839, for - - Damages high court, - - - (Judgment also against B W Walker, claimant of property levied on.)	\$6489 59 648 95
Note no. 231 for \$4000. Makers, M. D Patton, George Finucane, Charles Lynch.	Judgment in Hinds against Finucane and Lynch: 28th June, 1842; for - -	6172 65
Note no. 296 for \$2000. Makers, Hawkins & McDaniel, Davis & Wood, R. A. Patrick, H. K. Moss, George Finucane.	Judgment in Hinds against Davis & Wood, Patrick, Moss and Finucane: 28th June, 1842; for - - - -	3000 00
Note no. 257 for \$4000. Makers, Mayson & Mallory, Charles Lynch, George Finucane.	Judgment in Hinds against John H Mallory. Lynch and Finucane: 13th July, 1842; for	6440 47
Note no. 255 for \$1800. Makers, Charles C. Mayson, H. K. Moss, J. Long, W. M. Gwin.	Judgment in Hinds against Moss, Long and Gwin: 28th June, 1842; for - -	2695 00
Note no. 323 for \$1200. Makers, A. K. McClung, W. P. Stone, M. Wilson.	Judgment in Hinds against all makers: 28th June, 1842; for - - - -	1618 00
Note no. 326 for \$1500. Makers, H. J. Munson, G. D. Boyd, J. H. Boyd.	Judgment in Hinds against James H. Boyd: June, 1842; for, say - - -	1348 00

Note no. 559 for \$5000. Makers, H. G. Runnels, H. K. Moss, R. A. Patrick.	Judgment in Hinds against makers: 2d July, 1845; for	8186 33
Note no. 560 for \$5000. Makers, H. G. Runnels, H. K. Moss, R. A. Patrick.	Judgment in Hinds against makers: 2d July, 1845; for	8186 33
†Note no. 561 for \$12,013. Makers, H. G. Runnels, R. A. Patrick, H. K. Moss, Wm. M. Gwin, T. B. J. Hadley.		
Note no. 334 for \$3500. Makers, G. R. Fall, W. M. Yates, E. R. Anderson, Jno. E. Richardson, V. E. Howard.	Judgment in Hinds against Fall and Howard, 184 ; for (Amount of judgment not recollected, and have not time to apply to clerk's office to obtain amount thereof.)—Nulla bona.	
‡Note no. 52 for \$917, dated Jan'y 1st, 1834, at 12 months. Makers, L. Reno, J. W. Pipes, H. N. Fleming, P. J. Williams, T. B. Hadley.		

*—Suit on bond made by B. W. Walker, with P Cohea & F. S. Hunt as sureties for trial of right of property to the value of between \$3000 and 4000, taken in case of Walker—in High Court, some of the parties good.

†—Suit pending in Hinds Circuit Court—Judgment delayed for the reason that note is not filed in papers, and can obtain no information thereof from Mr. H. D. Mandeville, jr., attorney for late Commissioners of Sinking Fund, who receipted therefor to them.

‡—This note delivered by other Commissioners of Sinking Fund to John H. Mallory, Auditor and ex-officio Commissioner of Sinking Fund.—A note by same parties, same amount, but of different date, (March 11th, 1833, at 12 months,) is contained in receipt of Buckner & Learned, attorneys, received from John

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
†Note no. 300 for \$2500. Makers, W. B. Woodley, James Talbot, W. W. & D. C. Young, R. Cordell, C. Lynch.		
Note no. 357 for \$3000. Makers, A. M. Williamson, John S. Gooch, Wm. M. Gwin.	Judgment in Madison against makers: May, 1842; for - - - - -	\$4600 00
Note no. 176 for \$2500. Makers, W. H. Fleming, J. F. H. Claiborne, H. K. Moss.	Judgment in Madison against makers: 7th May, 1838; for - - - - -	3099 99
	Judgment in Madison against Wm Fleming, H K Moss: 18th May, 1838; for -	1120 43
†Note no. 412 for \$2423. Makers, D. W. Haley, B. Haley, J. A. Hackett.	Judgment in Madison against John Dean, ex'r of B Haley, dec'd: 21st April, 1847; for	4501 45
Note no. 259 for \$1500. Makers, Alex. Smith, Robert Moore, W. Dorsey, Thos. W. Scott.	Judgment in Yazoo, May 1841, for defendants; (Parties insolvent.)	
§Note no. 435 for \$1500. Makers, D. Wright, Andrew Weir, Henry Dickerson.	Judgment in Lowndes against Weir and Dickerson: 3d October, 1843; for -	2208 00
Note no. 569 for \$8000. Makers, Thos. Land, Wm. H. Johnson, W. W. Walton.	Judgment in Holmes against makers: 28th October, 1841; for - - -	9239 52

Note no. 568 for \$5000. Makers, Thomas T. Land, ex'r of Charles Land, dec'd, Thomas Land, Wm. H. Johnson.	Judgment in Holmes against T T Land, Wm H Johnson: 22d April 1842; for	6208 37
Note no. 570 for \$2000. Makers, Wm. H. Johnson, Thomas Land, W. W. Walton.	Suit in Holmes—plea of non est factum, and non suit: 25th October, 1843.	
Note no. 501 for \$3300. Makers, Jas. Catling, L. G. Galloway, James Stegler.	Suit in Holmes and judgment for defendants, 25th October, 1843.—(Papers missing from clerk's office so that case could not be brought up to High Court.)	
Note no. 513 for \$1500. Makers, R. Irvine, A. B. Saunders, G. W. Redman.	Suit pending in Panola.	
¶Note no. 452 for \$1000. Makers, T B Hill, Thos G Hudspeth, Byrd Hill.	Judgment in Panola against T B Hill: 23d April, 1847; for	1912 50

H. Mallory, Auditor, and reported to me by Robert H. Buckner, Esq., as suit brought but afterwards dismissed, as he presumed, under some arrangement with the Commissioners of Sinking Fund. If this be not the note, and from its date it would seem not, I know not what has become of it.

†—Placed in hands of Robt Hughes, Esq., att'y, by Commissioners of Sinking Fund in 1838. Judge Hughes responsible for this note—see his letter to committee of Legislature—Senate Journal of 1844.—Suit pending in High Court.

‡—In High Court. Debt believed to be good.

§—New note executed by Henry Dickerson and James T. Harrison for \$2700, as authorized by act of the Legislature of 1846. Debt believed to be good.

||—Believed to be good.

¶—Regarded as good.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note no. 457 for \$1000. Makers, John Rayburn, Thos B Ives, Saml B Marsh.	Judgment in Panola against Rayburn: 6th November, 1846; for	\$1866 75
Note no. 458 for \$1000. Makers, G P Anderson, David Miles, John Rayburn.	Judgment in Panola against Anderson and Rayburn: 6th November, 1846; for	1866 75
Note no. 540 for \$1750. Makers, Barry Gillespie, Byrd Hill, C Kyle.	In hands of attorney for suit. Makers reside out of the State.	
*Note no. 461 for \$500. Makers, George W Redman, John Rayburn, Richard Irvine.	Judgment in Carroll against Rayburn and Irvine: 12th May, 1847; for (In High Court.) (Suit pending.)	959 60
Note no. 330 for \$1500. Makers, J K Hall, G D Boyd, J H Boyd.	(In High Court.)	
†Note no. 495 for \$2000. Makers, A G McNutt, W H Sims, W H Paxton, A M Paxton.	(In High Court.)	
‡Note no. 597 for \$3,333 33½. Makers, W R Campbell, J M Gilmore, W L Sharkey.	(In High Court.)	
§Note no. 401 for \$2400. Makers, B Harris, Wm L Moore, W H & C Welsh, A Carns.	Judgment in Lowndes against _____, 1846 or 7, for (Am't of judgment not known and not time to apply to clerk's office to obtain am't thereof.)	

Note no. 188 for \$5000. Makers, B Harris, (Suit pending in Copenh.)

W Barnes, T Pleasant, A F McLean, John Speed.

Note no. 360 for \$2200. Makers, H Alsbury, (Suit pending in Clarke.)

T P Falconer, J J McRae, John Watts.

Note no. 321 for \$800. Makers, Lewis White (Not sued upon—parties insolvent. This note was returned to the Commissioners of the Sinking Fund, Dec. 8th, 1840, by attorney, in whose hands placed by them, and makers reported as insolvent.)

side, French C Dulany, Robert Burton.

Note no. 34 for \$750. Makers, Lewis Reno, (Not sued upon—no att'y would take it upon the terms allowed by the law. To sue would only have involved the fund in the costs.—Parties insolvent.)

C C Mayson, G Finucane.

Note no. 923 for \$1200. Made by A B Shelby, payable to Daniel Comfort or order, and endorsed by D Comfort, Thos C Nelson, Wm M Gwin, Saml Gwin, Sarah D Terry. (Same remarks applicable to this, as to note no. 34.)

*—Debt believed to be good.

†—Regarded as good.

‡—Regarded as good.

§—Part of this debt, it is believed, will be saved.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
*Note — for \$400. Makers, J L Stubblefield, H R Hall, G R Fall, H A Hall.		
*Note — for \$1350. Makers, H R Hall, H G Runnels, R A Patrick.		
*Note — for \$1350. Makers, Dameron & Pratt, Geo C Dameron, J H McRaven, Wm M Gwin.	(Placed in hands of attorney for suit.)	
†Note no. 567 for \$340. Makers, Murdock McDuffie, M Gilchrist, A McDuffie.	Judgment in Jefferson against McDuffie and Gilchrist: April term, 1847; for	\$616 26
‡Note no. 590 for \$3334. Makers Emily Joor, B H Barrow, for George Joor, by Moses Liddell, att'y, P H Joor.	Judgment in Wilkinson against E Joor; Geo Joor, and Peter H Joor: 16th Dec. 1846; for	3747 20

*—These three notes were found by me among some papers in the Auditor's office. They are believed to be renewals of notes rec'd by J. H. Mallory, Aud'r and ex-officio Com'r S'g F'd, from the other Com'rs, and are supposed to have been left by the committee of the Legislature, who investigated his acc'ts in 1838. The last note (Duncan & Pratt) was placed in hands of att'y for suit; others not sued on: No att'y would receive them upon the terms allowed by the law. To sue would only have involved the fund in the costs.

†—Collected as advised by attorney and now in his hands—Not yet paid over.

‡—Collected as advised by attorney and now in his hands—Not yet paid over.

GENERAL SUMMARY.

Page 1	Am't of judgent,	\$7,434	69
" 2	do	40,647	48
" 3	do	29,998	81
" 4	do	26,844	63
" 5	do	28,402	68
" 6	do	33,754	17
" 7	do	26,615	84
" 8	do	33,204	48
" 9	do	16,879	57
" 10	do	24,108	26
" 11	do	24,610	55
" 12	do	18,984	75
" 13	do	15,796	16
" 14	do	26,574	45
" 15	do	21,274	12
" 16	do	16,372	66
" 17	do	13,321	87
" 18	do	15,447	89
" 19	do	6,605	60
" 20	do	4,363	40
		431,242	06

NOTES.

*Note No. 561, page 16 for	-	-	-	\$ 12,013	00
" " 334, " 16 "	-	-	-	3,500	00
" " 300, " 16 "	-	-	-	2,500	00
" Dickinson & Hamson, page 18,	-	-	-	2,700	00
" No. 570 page 18 for	-	-	-	2,000	00
" " 513 " 18 "	-	-	-	1,500	00
" " 540 " 19 "	-	-	-	1,750	00
" " 330 " 19 "	-	-	-	1,500	00
" " 495 " 20 "	-	-	-	2,000	00
† " " 597 " 20 "	-	-	-	3,333	33
" " 401 " 20 "	-	-	-	2,400	00
" " 188 " 20 "	-	-	-	5,000	00
" " 360 " 20 "	-	-	-	2,200	00
" " 321 " 20 "	-	-	-	800	00
" " 34 " 20 "	-	-	-	750	00
" " 923 " 20 "	-	-	-	1,200	00
" " " 20 "	-	-	-	400	00
" " " 20 "	-	-	-	1,350	00
" " " 20 "	-	-	-	1,350	00
				\$ 48,246	33

*—Amount of judgment not recollected.

†—Amount of judgment not known

Which being read,

On motion of Mr. Liddell,

Was laid on the table, and one hundred copies ordered to be printed.

On motion of Mr. Walker,

The morning business was suspended, and the resolution from the Senate, fixing on 26th inst. for the adjournment of the Legislature, was taken up.

Mr. Hinds offered the following amendment:

Strike out the 26th inst. and insert 4th March.

Mr. Stanton moved to lay the amendment on the table;

Which was lost.

Mr. Simrall moved to amend the amendment by striking out the 4th and inserting the 1st March.

The question was taken on striking out,

And was lost.

The question was then taken on Mr. Hinds' amendment, and carried.

On motion of Mr. Walker,

The Senate resolution, as amended, was concurred in.

Mr. Whitfield, by leave, introduced the following resolution:

Resolved, That a committee consisting of seven members, one from each judicial district, be appointed for the purpose of examining the bills now before the House, on the calender and on the table, and report such as in their judgment requires the first and most speedy action of the House.

Resolved, That Thursday of each week be set apart for the action of the House on private and local business, and except on that day no local or private business, shall be taken up.

Mr. Metcalf offered the following amendment:

Except when in night sessions.

On motion of Mr. Dilworth,

The amendment was laid on the table;

Mr. Metcalf moved that the resolution be laid on the table;

Which was lost.

The question was then taken on its adoption, and carried.

Mr. Wooldridge called from the table a bill to amend the militia laws of this State; which,

On his motion,

Was made the special order of the day for committee of the whole for 11 o'clock, to-morrow.

On motion of Mr. Campbell of Desoto,

The amendments made by the Senate to a bill from the House supplementary to an act, entitled an act to establish an inferior court of Chancery for the southern district of Mississippi,

Was concurred in.

A message from the Senate by the messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bill from the House of the following title, to wit:

A bill supplementary to an act entitled,

An act to establish an inferior court of Chancery for the Northern District of Mississippi, and have made an amendment thereto;

In which, I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on Saturday, sign the act from the House of the following title, to wit:

An act to incorporate the Holly Springs Rail Road Company.

Mr. Torrey, by leave, introduced a bill to be entitled,

An act for objects of internal improvement;

Which was read the first time.

Mr. Hinds moved a suspension of the rules.

Mr. Neill moved a rejection of the bill,

Which was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Bond, Bynum, Brooke, Brumfield, Carroll, Collier, Dilworth, Foote of Noxubee, Ford, Fortson, Godfrey, Garrett, Henry, Hogue, Moore, Neely, Neill, Powell, Simrall, Suratt, West of Holmes, and White—22.

NAYS—Mr. Speaker, Messrs. Alderson, Arnold, Bardin, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Catchings, Cleveland, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of Tippah, Gatlin, Hall, Hamer, Hancock, Harrington, Hill, Hinds, Holden, Houston, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Myers, Nailor, Noble, Phillips, Sanders, Slade, Smith, Stanton, Steger, Stewart, Thames, Thomas of Marshall, Thom-

as of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Weir, West of Wayne, Whitfield, Whitmore Wilson, Woolbridge and Yerger—65.

The rule was suspended,

The bill read the second time,

And referred to the committee on internal improvements.

Mr. Bynum offered the following resolution:

Resolved, That the committee on claims be instructed to report back to this House forthwith the petition of Joseph Pool, Sheriff of Jones county, together with all the documents accompanying the same, to be disposed of as the House may hereafter direct;

Which was adopted.

Mr. Simrall, by leave, introduced a bill to be entitled,

An act to provide for the resumption of payments of the bonds sold on account of the Planters bank;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time.

On his further motion,

The House resolved itself into committee of the whole forthwith, on said bill,

Mr Cushman in the Chair.

After sometime spent therein, the committee rose, and reported the bill back to the House with sundry amendments thereto, and recommended its passage as amended, and asked to be discharged from its further consideration.

Mr. Cushman moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving, and decided in the affirmative.

The question was then taken on agreeing, and carried.

Mr. Simrall moved that the second section of the bill, which was stricken out in committee of the whole be reinstated;

Which was lost by yeas and nays, as follows:

YEAS—Messrs. Brooke, Bynum, Catchings, Cleveland, Collier, Foote of Noxubee, Ford, Foree, Fortson, Garrett, Godfrey, Harrington, Henry, Johnston, Lynch, Mason, McInnis, McLaurin, Nailor, Neely, Neill, Noble, Powell, Sanders, Simrall, Slade,

Stanton, Weir, West of Wayne West of Holmes, White, Whitmore, and Yerger—33.

NAYS—Mr. Speaker, Messrs. Abbott, Arnold, Bardin, Bond, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Gatlin, Hamer, Hancock, Hill, Hinds, Hogue, Holden, Huie, Liddell, McAfee, McWilliams, Melton, Metcalf, Moore, Smith, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Wilson and Wooldridge,—50.

On motion of Mr. Simrall,
The rule was further suspended,
The amendments considered as engrossed,
And the bill read the third time.

Mr. Campbell of Desoto, moved to lay the bill on the table;
Which was decided in the negative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Bardin, Bond, Brown, Bynum, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Foote of Tippah, Gatlin, Hamer, Hancock, Hill, Hinds, Hogue, Holden, McWilliams, Melton, Metcalf, Moore, Phillips, Smith, Stewart, Suratt, Thames, Weathersby, Whitfield, Wilson and Wooldridge—39.

NAYS—Messrs. Arnold, Brooke, Catchings, Cleveland, Collier, Dilworth, Foote of Noxubee, Ford, Foree, Fortson, Garrett, Godfrey, Harrington, Henry, Huie, Johnston, Lynch, Mason, McAfee, McInnis, McLaurin, Myers, Nailor, Neely, Neill, Noble, Powell, Sanders, Simrall, Slade, Stanton, Steger, Thomas of Marshall, Torrey, Toulme, Trigg, Valentine, Walker, Weir, West of Wayne, West of Holmes, White, Whitmore, and Yerger—44.

The question was then taken on the passage of the bill, and decided in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Arnold, Brooke, Bynum, Catchings, Cleveland, Collier, Dilworth, Foote of Noxubee, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Harrington, Henry, Hall, Houston, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, Myers, Nailor, Neely, Neill, Noble, Powell, Sanders, Simrall,

Slade, Smith, Stanton, Steger, Thomas of Marshall, Torrey, Toulme, Trigg, Walker, Weir, West of Wayne, West of Holmes, White, Whitmore, and Yerger—49.

NAYS—Mr. Speaker, Messrs. Abbott, Bardin, Bond, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Connell, Cushman, Cypert, Dampier, Davis, Duke, Echols, Ellis, Hamer, Hancock, Hill, Hinds, Hogue, Holden, McWilliams, Melton, Metcalf, Moore, Phillips, Stewart, Suratt, Thames, Valentine, Weathersby, Whitfield, Wilson, and Wooldridge—36.

Ordered, That the title thereof stand as stated.

The following message from the Senate by the messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have adopted the following joint resolution, to wit:

Resolved, The House of Representatives concurring, that all persons whose lands have been sold at tax sale, and bought in by the State, may be permitted to redeem the same, at any time, until provision shall be made by law for the sale of such lands so bought in by the State;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bill from the House of the following title, to wit:

A bill to be entitled,

An act to amend the road laws of the county of Monroe.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act to abolish the office of the State architect;

An act to provide for the sale of the five hundred thousand acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

And have found the same correctly enrolled.

On motion of Mr. Dilworth,

The Senate bill, entitled an act to provide for the sale of the Chickasaw school lands, was called up, and the House resolved itself into committee of the whole on said bill,

Mr. Liddell in the Chair;

After sometime spent therein, the committee rose, reported the bill back without amendment, and recommended its passage;

Which was received and agreed to.

Mr. Hamer offered the following amendment:

Amend 11th section, by adding the name of Jane Henderson in 2d line; in the 11th line, Jane Henderson, the south half of the northwest quarter, of section two, township twenty-eight, range four west.

On motion of Mr. Dilworth,

The amendment was laid on the table.

Mr. Wilson offered the following amendment:

Amend 11th section by adding, Mr. Cudd, who resides on the southwest quarter, of section 6, township 27, range 3 west.

On motion of Mr. Dilworth,

The amendment was laid on the table.

On his further motion,

The rule was suspended,

And the bill read the third time.

Mr. Wilson offered the following amendment by way of ryder:

Be it further enacted, That all other bona fide settlers upon the said school lands, on the 1st day of November, 1847, shall have the privilege of entering the quarter section, in which he, she or they reside, at the said minimum of \$6 per acre, at any time previous to the day of sale.

On motion of Mr. Dilworth,

The ryder was laid on the table.

The question was then taken on the passage of the bill, and decided in the affirmative.

On motion of Mr. Mason,

The House resolved itself into committee of the whole on its special order, entitled an act to extend the rail road eastwardly from Jackson,

Mr. Liddell in the Chair.

After sometime spent therein, the committee rose, reported the bill back to the House with sundry amendments, and recommended its passage as amended;

Which was received and agreed to.

On motion of Mr. Lynch,

The amendments were considered as engrossed,

The bill read the third time,

And passed as amended.

Ordered, That the title stand as stated.

On motion of Mr. Johnston,

Resolved, That the Hon. John J. McRae, Speaker of this House be, and he is hereby requested to deliver an address in the presence of this House at 11 o'clock, on the 22^d inst., in commemoration of the birth of Washington, and the success of the American arms at Buena Vista, in Mexico.

On motion of Mr. Stewart,

The House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr Catchings moved that the regular orders of the day be suspended to enable him to call up the bill to establish a system of common schools;

Which was lost.

The Senate resolution in relation to the redemption of lands sold at tax sale and purchased by the State,

Was read the first time.

On motion of Mr. Dilworth,

The rule was suspended,

And the resolution read the second time.

Mr. Whitfield offered the following amendment:

Upon such terms as are now prescribed for the redemption of lands sold for taxes;

Which was adopted.

Mr. Dilworth offered the following amendment:

Strike out, the House of Representatives concurring, after resolved, and insert, by the Legislature of the State of Mississippi;

Which was adopted.

Mr. Yerger offered the following amendment:

Amend by adding the following: *Provided, however*, that no person shall be charged more than 16 per centum per annum on the amount of the redemption money;

Which was adopted.

Mr. Simrall offered the following amendment:

Until the same shall be sold by the State;
Which was adopted.

On motion of Mr. Whitfield,
The rule was dispensed with,
The resolution read the third time, and adopted.

On motion of Mr. Catchings,
The Senate amendment to the memorial to the Congress of the
United States in relation to granting 16th sections to certain town-
ships, in this State, was concurred in.

On motion of Mr. Simrall,
The Senate amendment to the bill entitled,
An act to reduce the ex-officio services of the clerks and sheriffs
of the counties of Perry, Greene, Jones, Rankin and Scott, was
concurred in.

The Senate bill entitled,
An act to increase the pay of jurors in the counties of Law-
rence and Marion,
Was read the first time.

The Senate bill to be entitled,
An act to incorporate the Raymond Female Institute,
Was read the first time.

On motion of Mr. Catchings,
The rule was suspended,
The bill read the second time,
And ordered for a third reading to-morrow.
The Senate bill entitled,
An act for the relief of the Raymond Female Institute,
Was read the first time.

On motion of Mr. Stewart,
The Senate bill entitled,
An act to increase the pay of jurors in the counties of Lawrence
and Marion, was called from the orders of the day,
The rule suspended,
And the bill read the second and third time forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act for the relief of James Bond, of the county of Choctaw,
one of the securities of Richard S. Graves, formerly treasurer of
the State,

Was read the first time.

On motion of Mr. Liddell,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Cleveland, from a joint standing committee, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature bills of the following titles, to-wit:

An act to abolish the office of State architect;

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States for purposes of internal improvement;

An act to incorporate the Holly Springs Rail Road Company.

And have also examined a bill of the following title, to-wit:

An act supplemental to an act entitled an act to establish an Inferior Court of Chancery for the northern district of Mississippi;

And have found the same correctly enrolled.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to add certain counties therein named to the southern Vice Chancery district, &c.;

A bill to be entitled,

An act requiring the treasurer of Pontotoc county to loan the school fund of said county;

A bill to be entitled,

An act to prescribe the mode of punishment in petit lacy;

A bill to be entitled,

An act for the repairing of the State capitol and executive mansion;

In which I am instructed to desire the concurrence of the House of Representatives:

The Senate have passed the bill from the House of the following title, to-wit:

A supplemental bill to the amended act of the Canton and Jackson Rail Road, passed at this session.

The Senate bill entitled,
 An act to change the time of holding the Probate Court in the
 county of Jefferson,

Was read the first time.

On motion of Mr. Cushman,
 The rule was suspended;
 The bill read the second and third time forthwith.
 And passed with its title as stated.

Mr. Cushman, from the judiciary committee to whom was referred a bill to be entitled an act to authorise Israel Dille, guardian of Wm. H., Mary W. and Victoria D. Bowers, heirs of Wm. H. Bowers, deceased, to sell certain real estate of said heirs, by special leave, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to,
 And the bill read the third time and lost.

A message from his excellency, the Governor, by Mr. Jones his private secretary:

MR. SPEAKER—I am instructed by his excellency, the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act for the relief of James S. Bailey;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

A resolution of the State of Mississippi in commemoration of 22d February;

An act to legalise the Police roads in Coahomo county, approved February 19th, 1848;

An act to incorporate the town of Pass Christian, in the county of Harrison;

An act to amend the act incorporating the Homochitto Turnpike and Bridge Company, approved 15th February, 1838;

Approved February 21st, 1848.

On motion of Mr. Dilworth,
 The House insisted upon the amendment made to a Senate bill entitled,

An act to define the duties of the Board of county Police of Tiptah county and for other purposes.

The Senate bill entitled,

An act to incorporate the Noxubee and Bigbee Road Company,
Was read the first time.

On motion of Mr. Foote of Noxubee,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act to provide for and establish common schools in the counties of Hinds, Holmes and Yalobusha counties,
Was read the first time.

On motion of Mr. Catchings,
The rule was suspended,
The bill read the second time,
And referred to a select committee of five.
The Chair appointed on said committee Messrs. Catchings, West of Holmes, Torrey, Byrn and Ford.

On motion of Mr. West of Holmes,
Mr. Simrall was added to the committee.

On motion of Mr. Weir,
Mr. Cleveland was added to the committee.

The Chair announced the appointment of the committee raised on the resolution offered by Mr. Whitfield, this morning to examine the bills now before the House on the calender and table.

For the 1st judicial district, Mr. Stanton; from the 2d, Mr. Weathersby; from the 3d, Mr. Yerger; from the 4th, Mr. Ellis; from the 5th, Mr. Henry; from the 6th, Mr. Whitfield; from the 7th, Mr. Campbell of De Soto.

On motion of Mr. Yerger,
The orders of the day were suspended to enable him to introduce the following resolution:

Resolved, That the committee of ways and means be and they are hereby instructed to prepare and submit a bill providing that the several tax collectors of this State be compelled to deposit any surplus of a bid over and above the amount of the tax and cost of sale for which the land was sold, into the county treasury, unless the said surplus has been paid to the former owner of the land, and also provide that the act be made to apply to sales heretofore and hereafter made, and also that the former owner of the land sold may draw such surplus from the county treasury;

Which was adopted.

The Senate bill entitled,

An act to attach the county of Claiborne to the southern district Chancery Court of the State of Mississippi;

Was read the first time.

On motion of Mr. Valentine,

The rule was suspended,

The bill read the second and third time forthwith.

Mr. Valentine offered the following amendment:

Amend the title by inserting after Claiborne the word Simpson;

Which was adopted,

And the bill passed with its title as amended.

The Senate bill entitled,

An act to exempt from sale under execution the libraries of ministers of the Gospel,

Was read the first time.

On motion of Mr. Hinds,

The rule was suspended,

And the bill read the second time.

Mr. Catchings offered the following amendment:

Amend the first section by inserting after the word Gospel, the following: together with such globes, maps and books as are used by teachers of public schools or colleges;

Which was adopted.

On motion of Mr. Catchings,

The rule was further suspended,

The bill read the third time,

And passed as amended.

On motion of Mr. Neill,

Resolved, That the use of this hall be presented to the friends of General Zachary Taylor, without distinction of party, for the purpose of holding a Taylor meeting at 3 o'clock to-morrow evening.

On motion of Mr. Foote of Noxubee,

The vote was taken on the refusal of the House to pass a Senate bill for the relief of the heirs of Wm. H. Bowers, deceased, was reconsidered,

And the bill passed with its title as stated.

Mr. Hancock moved that a committee of three be appointed to wait on Geo. W. L. Smith and request him to deliver an address

on to-morrow at 11 o'clock in the representatives hall in commemoration of the 22d of February, and of the victory of the American arms achieved at Buena Vista, Mexico;

Which was lost.

Mr. Ford moved that the House adjourn until half past 9 o'clock on Wednesday;

Which was lost.

On motion of Mr. Whitfield,

The House adjourned until to-morrow morning half past 9 o'clock.

TUESDAY, FEBRUARY 22, 1848.

The House met pursuant to adjournment.

On motion of Mr. Neely,

Mr. Stanton was added to the committee to revise the constitution.

Mr. Cushman, from the judiciary committee to whom was referred the bill to be entitled an act to amend an act entitled an act to establish a Vice Chancery Court in the northern district of the State of Mississippi;

Also to amend an act entitled an act to establish a Vice Chancery Court in the southern district of the State of Mississippi, reported the same back to the House with an amendment thereto, and recommended its passage as amended;

Which was received and agreed to;

The bill considered as engrossed,

And read the third time,

And passed with its title as stated.

Mr. Cushman, from the same committee to whom was referred a bill to be entitled an act to amend an act approved 10th February, A. D. 1844, entitled an act to reduce the fees of certain officers therein named, reported the same back to the House and recommended that it do not pass;

Which was received and agreed to.

Mr. Cushman, from the same committee to whom was referred a resolution to enquire into the expediency of so altering the existing law of this State in relation to the employment of slaves or

persons of color, by owners of steam boats, as to make it more effectual in its operation, reported the same back to the House with a bill to be entitled,

An act to amend an act entitled an act to amend an act entitled an act to reduce into one the several acts concerning slaves, free negroes and mulattoes, passed June 18th, 1822, approved 20th December 1831, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Liddell,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Cushman, from the same committee to whom was referred the petition of James Anderson and others praying the passage of an act for the relief of James and Mary McCabe, reported the same back to the House and recommended that it would be inexpedient to grant the prayer of said petitioners; and asked to be discharged from the further consideration of the same:

Which was received and agreed to.

Mr. Cushman, from the same committee to whom was referred so much of the Governor's message as relates to the bonds of the Newton and Lauderdale Turnpike Company, reported that the bonds given by said company originally had been found in the Auditor's office, and asked to be discharged from its further consideration;

Which was received and agreed to.

A message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate did, on yesterday, sign the act from the House of the following title, to-wit:

An act supplementary to an act, entitled an act to establish an Inferior Court of Chancery for the northern district of Mississippi.

The Senate have passed the Senate bills of the following title, to-wit:

A bill to be entitled,

An act to authorise the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act to amend an act approved 5th March, 1846, entitled an act to amend the several laws of the State in relation to courts and for other purposes;

A bill to be entitled,

An act to incorporate the Lowndes Invincibles, a volunteer company in the county of Lowndes.

Mr. Cleveland, from the joint standing committee, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his Excellency the Governor for his approval and signature, an act of the following title:

An act supplementary to an act entitled an act to establish an Inferior Court of Chancery for the northern district of Mississippi.

Mr. Nailor, from the joint standing committee, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have examined bills of the following titles, viz:

An act to reduce the ex-officio services of the clerks and sheriffs of the county of Perry, Green, Jones and Scott;

An act to amend the road laws of the county of Monroe;

A memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States, in Congress assembled;

An act supplementary to an act, passed at the present session, entitled an act to amend an act entitled an act to incorporate the Canton and Jackson Rail Road Company, approved February 5th, 1841;

An act to incorporate the town of Quitman, in the county of Clarke;

An act for the relief James Bond, of the county of Choctaw, one of the securities of Richard S. Graves, formerly treasurer of this State;

An act to increase the pay of jurors in the counties of Lawrence and Marion;

An act to define the boundary of Tunica county;

An act to establish a ferry across Yazoo river at the City of Yazoo, in Yazoo county;

An act to change the time of holding the Probate Court in the county of Jefferson;

And have found the same correctly enrolled.

The following message was received from the Senate, by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of the bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for the application of the common school fund that has or may hereafter accrue, under an act approved 4th March, 1846, in the county of Marion, and for other purposes;

A bill to be entitled,

An act to simplify the pleadings in suits of slander;

A bill to be entitled,

An act requiring sheriffs to execute conveyances in certain cases, and for other purposes;

A bill to be entitled,

An act to authorise Samuel Stamps, administrator *de bonis non*, to sell real estate;

A bill to be entitled,

An act defining the duties of judges upon applications of *habeas corpus*, continuances and changes of venire in criminal cases;

The Senate have concurred in the amendments made by the House to the resolution of the Senate extending time to all persons whose lands have been sold at tax sale and bought in by the State, to redeem the same at any time until provision shall be made by law for the sale of such lands so bought in by the State, and have disagreed to the *proviso* made by the House to the same, which proviso reads as follows:

Provided, that, however, that no person shall be charged more than sixteen per centum on the amount of the redemption money.

The Senate have concurred in the amendments made by the House to the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to extend the rail road eastwardly beyond Jackson.

The Senate have passed the Senate bill of the following title,
to-wit:

A bill for the relief of James M. Wynne, sheriff and tax collector of Lowndes county;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. Cushman, from the judiciary committee to whom was referred the Senate bill entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved February 28th, 1846, and July 26th, 1843, reported the same back to the House without amendment and recommended its passage.

Mr. Cushman moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And carried.

Was then taken on agreeing;

And decided in the affirmative.

Mr. Simrall moved an amendment by way of additional section.

Mr. Metcalf moved the rejection of the amendment;

Which was decided in the negative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Bardin, Brown, Bond, Campbell of Desoto, Campbell of Franklin, Carroll, Cushman, Dampier, Davis, Ellis, Foote of Tippah, Gatlin, Hancock, Hill, Hinds, Holden, Liddell, Lynch, McWilliams, Melton, Metcalf, Nailor, Noble, Sanders, Stanton, Thames, Thomas of Yazoo, Torrey, Trigg, Valentine, Walker, Weathersby, Wilson, and Wooldridge—36.

NAYS—Messrs. Arnold, Brooke, Bynum, Catchings, Cleveland, Collier, Connell, Cypert, Dilworth, Duke, Echols, Foote of Noxubee, Ford, Force, Fortson, Godfrey, Hall, Hamer, Harrington, Henry, Hogue, Houston, Huie, Johnston, Mason, McAfee, McInnis, McLaurin, Moore, Myers, Neely, Neill, Phillips, Powell, Simrall, Slade, Smith, Steger, Stewart, Suratt, Thomas of Marshall, Toulme, West of Wayne, West of Holmes, White, Whitfield, Whitmore, and Yerger—48.

Mr. Metcalf moved to lay the bill with the amendment on the table;

Which was lost.

Mr. Nailor offered the following amendment to the amendment:

Provided, That this section shall not apply or extend to any bank now under injunction;

Which was lost.

The question was then taken on the adoption of the amendment offered by Mr. Simrall, and decided in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Arnold, Brooke, Catchings, Cleveland, Collier, Connell, Cypert, Dilworth, Duke, Foote of Noxubee, Ford, Fortson, Garrett, Godfrey, Hall, Hamer, Henry, Hogue, Houston, Huie, Johnston, Mason, McInnis, McLaurin, Moore, Myers, Neely, Phillips, Powell, Simrall, Slade, Suratt, Smith, Steger, Stewart, Thomas of Marshall, Toulme, Trigg West of Wayne, West of Holmes, White, Whitfield, Whitmore, and Yerger—44.

NAYS—Mr. Speaker, Messrs. Abbott, Bardin, Bond, Brown, Brumfield, Bynum, Campbell of De Soto, Campbell of Franklin, Carroll, Cushman, Dampier, Davis, Echols, Ellis, Gatlin, Hancock, Harrington, Hill, Hinds, Holden, Liddell, Lynch, McWilliams, Melton, Metcalf, Nailor, Noble, Sanders, Thames, Thomas of Yazoo, Torrey, Valentine, Walker, Weathersby, Wilson and Wooldridge—37.

Mr. Ford offered the following amendments:

Amend, by striking out all after the word property, in the 6th line from the bottom in section 1st;

Amend section 2d, by striking out all after the word endorsers, in the 5th line from end of the section;

Which were lost.

On motion of Mr. Simrall,

The amendment was considered as engrossed,

The bill read the third time,

And passed as amended, by yeas and nays, as follows:

YEAS—Messrs. Arnold, Brooke, Catchings, Cleveland, Collier, Connell, Cypert, Dilworth, Duke, Foote of Noxubee, Ford, Force, Fortson, Garrett, Godfrey, Hall, Hamer, Harrington, Henry, Hogue, Huie, Johnston, Mason, McInnis, McLaurin, Moore, Myers, Neely, Neill, Phillips, Powell, Simrall, Slade, Smith, Stanton, Steger, Stewart, Suratt, Thomas of Marshall, Trigg, West of Wayne, West of Holmes, White, Whitfield, Whitmore, and Yerger—47.

NAYS—Mr. Speaker, Messrs. Abbott, Bardin, Bond, Brown, Brumfield, Bynum, Campbell of Desoto, Campbell of Franklin, Carroll, Cushman, Dampier, Davis, Echols, Ellis, Gatlin, Hancock, Hill, Hinds, Holden, Liddell, Lynch, McWilliams, Melton, Metcalf, Nailor, Noble, Thomas of Yazoo, Torrey, Valentine, Walker, Weathersby, Wilson and Wooldridge—34.

Mr. Cushman, from the judiciary committee to whom was referred a bill to be entitled an act to give effectual relief in cases of forcible entry and detainer, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to.

On motion of Mr. Stanton,

The bill was recommitted to the same committee.

Mr. Hancock, from the committee on ways and means, to whom was referred a bill to be entitled, an act to amend an act entitled an act to amend and reduce into one, the several acts in relation to the revenue of this State, reported the same back to the House with a substitute, to be entitled,

An act to regulate the payment of taxes by non-residents to the Auditor of Public Accounts;

And recommended its passage;

Which was received and agreed to;

And the substitute read the first time.

Mr. Hancock asked for a suspension of the rule;

Which was refused.

Mr. Hancock, from the same committee, to whom was referred a bill to be entitled an act to abolish the office of assessor of taxes in this State, reported that the same had been provided for in the general revenue bill, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

Mr. Hancock, from the same committee, to whom was referred a resolution instructing them to enquire into the expediency of levying an ad valorem tax on all slaves in this State, reported unfavorably to the same, and asked to be discharged from its further consideration;

Which was received.

The question was then taken on agreeing,

And decided in the negative,

And the report laid on the table.

Mr Hancock, from the same committee, to whom was referred a resolution enquiring into the expediency of establishing a more uniform standard of weights and measures, reported that it was inexpedient to consider the same at this time, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

Mr. Hancock, from the same committee, to whom was referred a resolution enquiring into the expediency of extending the time of assessment of property; and also, of extending the time of commencing the collection of taxes, reported that it was inexpedient to make any extension of time in either case, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

Mr. Hancock, from the same committee, to whom was referred a bill to be entitled an act to amend the laws to provide for the public revenue, and the communication and synopsis of John T. Hull, referred the same back to the House, and recommended that they do not pass;

Which was received and agreed to.

Mr. Hamer, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined,

An act to authorise Israel Dille, guardian of William H., Mary W., and Victoria D. Bowers, heirs of Wm. H. Bowers, dec'd., to sell certain real estate of said heirs;

And have found the same correctly enrolled.

Mr. Connell, from the joint standing committee on claims, to whom was referred a communication from J. R. Young, state commissioner, on the part of the sinking fund, reported a bill to be entitled,

An act for the relief of Charles Clark and others,

And recommended its passage;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Connell,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Stanton, from the select committee, to whom was referred the petition of sundry citizens of Natchez, reported the same back to the House, with a bill to be entitled,

An act to exempt the city of Natchez from the operations of the law now in force, relative to the inspection of flour and other provisions, and other purposes,

And recommended the passage of the same;

Which was received and agreed to, -

And the bill read the first time.

On motion of Mr. Stanton,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Metcalf, from the select committee, to whom was referred a bill to be entitled an act to regulate suits in justices courts in certain counties therein named, reported the same back to the House with an amendment, and recommended the passage of the same as amended;

Which was received and agreed to.

On motion of Mr. Metcalf,

The bill and amendments were considered as engrossed, read the third time passed as amended.

Mr. Ford, from the select committee, to whom was referred a bill to be entitled an act requiring the chancellor to hold terms of his court at Canton, Vicksburg, and Paulding, reported a new bill as a substitute to be entitled an act to require the chancellor of the State to hold terms of the Superior court of Chancery at Canton, in the county of Madison, and recommended the passage of the same;

Which was received and agreed to,

And the bill read the first time.

Mr. Ford asked for a suspension of the rules;

Which was refused.

Mr. Steger, from the select committee, to whom was referred the petition of the citizens of North Mt. Pleasant and vicinity, reported the same back to the House, with a bill to be entitled,

An act to authorise the corporate authorities of North Mount Pleasant to erect a prison or place of confinement,

And recommended the passage of the same;
Which was received and agreed to,
And the bill read the first time.

On motion of Mr. Steger,
The rule was suspended,
The bill read the second and third time, forthwith,
And passed with its title as stated.

ORDERS OF THE DAY.

The Senate bill entitled,
An act to require the trustees of the 16th section, in Clarke county, to make titles, &c.;
Was read the first time.

On motion of Mr. Ellis,
The rule was suspended,
The bill read the second and third time, forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act to aid in the establishment of an institution for the instruction of the blind;
Was read the first time.

Mr. Ford asked for a suspension of the rules;
Which was refused.

The Senate bill entitled,
An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;
Was read the first time.

On motion of Mr. McWilliams,
The rule was suspended,
The bill read the second and third time, forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act to incorporate the town of Marion, in the county of Lauderdale,
Was read the first time.

On motion of Mr. Carroll,
The rule was suspended,
The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Mason, by leave, presented the petition of sundry merchants of the city of Vicksburg, in relation to the taxes imposed on merchants for the sales of merchandize, &c.; which was,

On motion of Mr. Stanton,

Referred to the select committee heretofore raised upon a similar petition from Natchez, Adams county.

On motion of Mr. Foote of Noxubee,

The House adjourned until to-morrow morning, half past nine o'clock, as a token of respect for the birth-day of the father of our country, the illustrious Washington.

WEDNESDAY, FEBRUARY 23, 1848.

The House met pursuant to adjournment.

And its deliberations were opened with prayer by the Rev. Mr. Frazee, of the city of Jackson.

On motion of Mr. Whitfield,

The call of the counties for petitions &c. was suspended.

Mr. Cleveland presented the petition of E. L. Acee, praying the passage of an act allowing him to retain certain monies therein named;

Which was referred to the committee on claims.

Mr. Campbell of De Soto, presented the petition of L. V. Dixon, a citizen of the county of Hinds, praying the passage of an act for his relief; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. White presented the petition of sundry citizens of township 5, range 1 east, in the county of Hinds, in relation to the school funds of said township; which,

On his motion,

Was referred to the committee on education.

Mr. Huie presented the petition of the citizens of Snowsville, in the county of Choctaw, accompanied with a bill to be entitled,

An act to incorporate the town of Snowsville, in Choctaw county, which,

On his motion,

Was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Huie, Foote of Tippah, and McLaurin.

Mr. Fortson presented the petition of sundry citizens of Monroe county, remonstrating against the passage of an act declaring Bull Mountain, the east fork of the Tombigbee a navigable stream; which,

On his motion,

Was referred to the internal improvement committee.

Mr. Neill offered the following resolution:

Resolved, That the committee on propositions and grievances be instructed to inquire into the expediency of releasing the sureties of William Ranson, on his official bond as assessor and tax collector for the county of Carroll, for the years 1840 and 1841, upon such terms as they may deem just to the State, and that they report by bill or otherwise;

Which was adopted.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

- 1. An act to extend the rail road eastwardly beyond Jackson;
- An act to incorporate Noxubee and Bigbee road company;
- An act to provide for the leasing of the Chickasaw school lands;
- And have found the same correctly enrolled.

Mr. Cushman from the judiciary committee to whom was referred the Senate bill to be entitled,

An act for the election of the clerk of the Superior Court of Chancery, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to.

Mr. Simrall offered the following amendment:

“Provided, That if said clerk shall depart this life, resign, or be removed from his office, the Chancellor shall appoint a successor to fill the office until the next regular election, so that there shall be no special election to fill a vacancy in said office.”

Mr. Whitfield moved to lay the bill with the amendment on the table;

Which was decided in the negative by yeas and nays as follows:

YEAS—Messrs. Brooke, Campbell of Franklin, Cypert, Fortson, Hancock, Henry, Houston, Liddell, Mason, McInnis, Myers, Nailor, Noble, Powell, Simrall, Smith, Weir, West of Wayne, West of Holmes, Whitfield, and Yerger—21.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin Bond, Brown, Brumfield, Bynum, Byrn, Campbell of De Soto, Carroll, Catchings, Cleveland, Collier, Connell, Cushman, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Ford, Foree, Gatlin, Hall, Hamer, Harrington, Hill, Hinds, Hogue, Holden, Huie, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Neely, Neill, Phillips, Sanders, Slade, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Valentine, Walker, Weathersby, Whitmore, Wilson and Wooldridge—60.

The question was then taken on the adoption of the amendment offered by Mr. Simrall.

And decided in the affirmative.

On motion of Mr. Cushman,

The amendment was considered as engrossed,

The bill read the third time,

And passed as amended.

Ordered, That the title stand as stated.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the President of the Senate did on yesterday sign the acts from the House of the following titles, to-wit:

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones, and Scott;

An act to amend the road laws of the county of Monroe;

An act supplementary to an act passed at the present session entitled an act to amend an act entitled an act to incorporate the Canton and Jackson rail road company, approved Feb. 5, 1841.

Also a memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled.

The Senate have granted leave to the introduction of a bill of the following title, to-wit:

A bill to be entitled,

An act to incorporate the Vicksburg Savings Society.

The Senate have passed the memorial of the following title, to-wit:

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to stage routes.

Also, a bill of the following title to-wit:

A bill to be entitled,

An act to reduce the corporate limits of the town of Holly Springs;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled,

An act to amend the 5th section and 31st chapter of Howard & Hutchinson's code in relation to marriage license, reported the same back to the House without amendment and recommended its passage;

Which was received and agreed to.

On motion of Mr. Harrington,

The bill was rejected.

Mr. Cushman from the same committee, to whom was referred the petition of sundry citizens of Carroll county, praying the emancipation of a certain negro slave therein named, reported a bill to be entitled,

An act to emancipate a certain slave therein named, and recommended its passage;

Which was received and agreed to,

And the bill read the first time.

Mr. Liddell moved a suspension of the rule;

Which was lost.

Mr. Connell from the joint standing committee on claims, to whom was referred the petition of Joseph Pool, reported the same back to the House, and that it would be inexpedient to allow said claim, and asked to be discharged from its further consideration.

Mr. Connell moved that the report be received and agreed to.

A division being called, the question was taken on receiving,

And decided in the affirmative.

Was then taken on agreeing,

And decided in the negative.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

An act to incorporate the town of Charleston in Tallahatchie county;

A bill to be entitled,

An act to confer on John W. Snodgrass, a minor, certain privileges;

In which I am instructed to desire the concurrence of the House.

The Senate have passed the House bill of the following title, to-wit:

A bill to be entitled,

An act for the further endowment of the University of Mississippi, and have made amendments thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. Whitfield from the select committee, to whom was referred the subject of examining the bills on the table and calender of this House, reported that the revenue bill and the appropriation bill should have precedence of all other business.

Mr. Whitfield moved that the report be received and agreed to.

A division being called for;

The question was first taken on receiving,

And decided in the affirmative.

Mr. Foote of Noxubee moved to amend the report by adding the convention bill from the Senate;

Which was agreed to.

The question was then taken on agreeing to the report as amended,

And decided in the affirmative.

Mr. Mason presented the claim of Samuel Garvin; which,

On his motion,

Was referred to the committee on claims.

ORDERS OF THE DAY.

The Senate bill^u entitled,

An act to add certain counties therein named, to the southern vice-chancery district;

Which was read the first time.

On motion of Mr. Ellis,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to amend an act to provide for the licensing of billiard tables, approved Feb. 23, 1844,

Was read the first time.

On motion of Mr. Weathersby,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando in the county of De Soto, approved Feb. 16, A. D. 1842,

Was read the first time.

On motion of Mr. Campbell of De Soto,

The rule was suspended,

And the bill read the second time.

Mr. Campbell of De Soto offered the following amendment:

Amend by striking out the first section;

Which was adopted.

On his further motion,

The rule was suspended,

The bill read the third time and passed.

Mr. Campbell of De Soto offered the following amendment to the title:

Amend the title by striking out "February 16, 1842," and insert "Feb. 18, 1840;"

Which was adopted.

The Senate bill entitled,

An act for the repairing the State Capital and the Executive mansion,

Was read the first time.

On motion of Mr. White,

The rule was suspended,

The bill read the second time,

And referred to the committee on the whole for Monday next.

The Senate bill entitled,

An act to authorize the State Commissioner or such person as may by law, have charge of the sinking fund, seminary fund and town lot fund, of the State to compromise with debtors to said funds,

Was read the first time.

On motion of Mr. Cushman,

The rule was suspended,

The bill read the second time,

And referred to the judiciary committee.

The Senate bill entitled,

An act to prescribe the mode of punishment for petit larceny,

Was read the first time.

On motion of Mr. Harrington,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Alderson from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to amend the road laws of the county of Monroe;

An act supplementary to an act past at the present session entitled an act to amend an act entitled an act to incorporate the Canton and Jackson rail road company, approved Feb. 5, 1841;

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones and Scott;

A memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled;

An act to establish a ferry across Yazoo river in the city of Yazoo, in Yazoo county;

An act to increase the pay of jurors in the counties of Lawrence and Marion;

An act to define the boundary line of Tunica county;

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Graves, formerly treasurer of this State;

An act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi by the Congress of the United States for purposes of internal improvement;

An act to abolish the office of State architect;

An act to change the time of holding the probate court in the county of Jefferson;

An act to incorporate the town of Quitman;

An act to incorporate the Noxubee and Bigbee road company;

An act to provide for the leasing of the Chickasaw school lands;

An act to extend the rail road eastwardly beyond Jackson.

The following message was received from the Governor by Mr. Jones, his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Governor to inform the House that he has approved and signed the following bills, to-wit:

An act to incorporate the Holly Springs rail road company;

An act supplementary to an act entitled an act to establish an Inferior court of Chancery for the northern district of Mississippi;

An act supplementary to an act passed at the present session, entitled an act to amend an act entitled an act to incorporate the Canton and Jackson rail road company;

An act to define the boundary lines of Tunica county.

The Senate bill entitled,

An act requiring the treasurer of Pontotoc county to loan the school fund of said county,

Was read the first time.

On motion of Mr. Bardin,

The rule was suspended,

And the bill read the second time.

Mr. Cushman offered the following amendment by way of additional section:

Be it further enacted, That the provisions of the above recited act be also extended to the county of Lafayette;

Which was adopted.

On motion of Mr. Cushman,

The amendment was considered as engrossed,

The bill read the third time and passed.

On his further motion,

The title was amended so as to include the county of Lafayette.

On motion of Mr. Liddell,

The House receded from their amendment made to a Senate resolution relative to lands sold at tax sales and bought in by the State.

The Senate bill entitled,

An act to prohibit the burning of woods in certain counties therein named,

Was read the first time.

On motion of Mr. Bond,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The resolution of the Senate, granting leave of absence to the Hon. Hugh R. Miller,

Was read the first time.

On motion of Mr. Hinds,

The rule was suspended,

The resolution read the second and third time forthwith and adopted.

The Senate bill entitled,

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st Feb. 1840,

Was read the first time.

On motion of Mr. Byrn,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Byrn by leave, introduced a resolution in relation to the redemption of lands purchased by the State at tax sale;

Which was read the first time.

On motion of Mr. Byrn,

The rule was suspended,

And the resolution read the second time.

On motion of Mr. Campbell of Desoto,

The resolution was so amended as to place it in the shape of a bill.

Mr. Byrn offered an amendment by way of additional section;

Which was adopted.

On his further motion,

The resolution as amended was considered as engrossed,
Read the third time and passed.

The Senate memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to stage routes,

Was read the first time.

On motion of Mr. Huie,
The rule was suspended,
And the memorial read the second time.
Sundry amendments being offered thereto,

On motion of Mr. Stanton,
The memorial was referred to a select committee of eleven.

The Chair appointed as said committee Messrs. Stanton, West of Holmes, Harrington, Huie, Walker, Duke, Hinds, Thomas of Yazoo, Houston, Sanders and Gatlin.

On motion of Mr. Dilworth,
The House took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The recess having expired,
The House resumed the consideration of the Senate messages.

On motion of Mr. Cushman,
The Senate amendment to the bill entitled,
An act for the further endowment of the University of Mississippi, was concurred in.

The Senate bill entitled,
An act concerning the code of Mississippi,
Was read the first time.
The Senate bill entitled,
An act for the relief of the administrators of James T. Stockard, deceased,

Was read the first time.
Mr. Cushman moved a suspension of the rule;
Which was lost.

On motion of Mr. Whitfield,
The Senate bill entitled,
An act concerning the code of Mississippi,
Was called from the orders of the day,
The rule suspended,

And the bill read the second time.

On his further motion,

The House resolved itself into committee of the whole forthwith on said bill, Mr. Whitfield in the chair.

After sometime spent therein,

The committee rose, reported the bill back to the House without amendment, asked to be discharged from its further consideration and recommended its passage.

Mr. Whitfield moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And decided in the affirmative.

Was then taken on agreeing to the report and lost.

Mr. Henry moved a reconsideration of the vote taken on refusing to agree to the report of the committee of the whole;

Which was decided in the affirmative.

The question was then taken on agreeing to the report,

And decided in the affirmative.

Mr. West of Holmes offered the following amendment:

"Provided, That all officers, who by the provisions of this act, are to receive said work, shall pay to the tax collector of their respective counties, the sum of five dollars for the same, and the said collectors of taxes shall pay the same into the State Treasury; which,

On motion of Mr. Duke,

Was laid on the table.

Mr. Hinds offered the following amendment;

Strike out "States and Territories" wherever they occur; strike out "two thousand copies," and insert "twelve hundred."

Mr. Stewart moved to lay the bill with the amendment on the table;

Which was lost by yeas and nays as follows:

YEAS—Messrs. Arnold, Brumfield, Byrn, Carroll, Connell, Cypert, Duke, Foote of Noxubee, Foote of Tippah, Foree, Fortson, Godfrey, Hancock, Henry, Houston, McInnis, McLaurin, Myers, Neely, Neill, Sanders, Simrall, Smith, Stewart, Trigg, Valentine, Walker, Weathersby, Weir, West of Wayne, West of Holmes, Whitmore, Wilds and Wooldridge—34.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Bardin, Bond,

Brooke, Brown, Bynum, Campbell of De Soto, Campbell of Franklin, Catchings, Cleveland, Cushman, Dampier, Davis, Dilworth, Ellis, Garrett, Gatlin, Hall, Harrington, Hill, Hinds Holden, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McWilliams, Melton, Metcalf, Nailor, Noble, Phillips, Slade, Steger, Suratt, Thames, Thomas of Yazoo, White, Whitfield, Wilson and Yerger—45.

On motion of Mr. Whitfield,

The further consideration of the bill was postponed until 11 o'clock Friday next.

A message from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have concurred in the amendment of the House to the Senate bill of the following title, to-wit:

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th Feb. 1844, so far as the same relates to the counties of Harrison and Smith.

The Senate have passed the bill from the House of the following title, to-wit:

A bill to be entitled,

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential disorders, passed Feb. 10, 1818.

The Senate have passed the Senate bills of the following titles, to-wit:

A bill for the relief of John Deer, senior, surviving executor of B. Haley, deceased;

A bill to be entitled,

An act to change the name of Martha A. Knowland;

In which I am instructed to desire the concurrence of the House of Representatives:

I am also instructed to inform the House of Representatives that the Senate have passed the Senate bill of the following title, to-wit:

A bill to be entitled,

An act relative to the trustees of the University of the State of Mississippi;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. Alderson from the joint standing committee, on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day examined a resolution of the following title, viz:

A resolution in relation to the lands sold at tax sale and bought in by the State,

And have found the same correctly enrolled;

And have also presented the same to his Excellency the Governor for his approval and signature.

On motion of Mr. Thomas of Yazoo,

The House adjourned until to-morrow morning half past 9 o'clock.

THURSDAY, FEBRUARY 24, 1848.

The House met pursuant to adjournment;

And its deliberations opened with prayer by the Rev. Mr. Frazee, of the city of Jackson.

On motion of Mr. Hancock,

The reading of the journal was dispensed with.

Mr. Godfrey, by leave, introduced a bill to be entitled,

An act to amend an act entitled an act to incorporate the Trustees of the Louisville Academy and for other purposes, approved 9th May, 1837;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Godfrey, by leave, introduced a bill to be entitled,

An act to revive an act entitled an act to incorporate the town of Macon, in the county of Noxubee, approved 22d February, 1842;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Hancock, from the committee on ways and means to whom was referred a bill to be entitled,

An act to enable the tax collectors more effectually to collect the revenue of this State, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to;

And the bill read the third time,

And passed with its title as stated.

Mr. Hancock, from the same committee, to whom was referred a bill to be entitled,

An act to repeal in part an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January 1841, approved February 6th, 1841, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to;

The bill read the third time,

And passed with its title as stated.

Mr. Cleveland, from the joint standing committee, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

An act for the further endowment of the University of Mississippi;

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818;

An act to prescribe the mode of punishment for petit larceny;

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st February, 1840;

An act to amend an act to provide for the licensing billiard tables, approved February 23d, 1844;

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

A resolution granting leave of absence to Hon. Hugh R. Miller;

An act to legalize the sale and purchase the south-west quarter section sixteen, and the south-east quarter of section sixteen, all in township number two of range fourteen east, lying and being in the county of Clarke and State of Mississippi, sold December 23d, 1837, to Littleberry Lott and Moses Sumrall, jr., severally;

An act to incorporate the town of Marion, in Lauderdale county;

An act to amend an act reducing the fees of certain officers therein named, approved 10th February 1844, so far as the same relates to the counties of Harrison, Washington and Tunica;

An act to add certain counties therein named to southern Vice Chancery District &c.;

An act to prohibit the burning of woods in certain counties therein named;

Mr. Hancock, from the committee of ways and means to whom was referred a bill and resolution supplemental to

An act entitled an act to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to;

And the bill read the third time,

And passed with its title as stated.

Mr. Cushman, from the judiciary committee to whom was referred a bill to be entitled,

An act for the benefit of junior judgments, reported the same back to the House without amendment, and recommended its passage,

Which was received and agreed to,

And the bill read the third time and lost.

Mr. Stanton, from the select committee to whom was referred the memorial of the legislature of the State of Mississippi to the Congress of the United States in relation to stage routes, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to,

And the memorial read the third time and passed.

Mr. Huie, from the select committee to whom was referred the petition of sundry citizens of the county of Choctaw, and a bill entitled,

An act to incorporate the town of Snowsville in choctaw county, reported the same back to the House and recommended its passage;

Which was received and agreed to;

The bill read the third time,

And passed with its title as stated.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to amend the practice in the Superior and District Courts of Chancery in this State;

An act to incorporate the Washington Fire Engine Company, No. 4, of Vicksburg;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have granted leave to the introduction of bills of the following titles, to wit:

A bill to be entitled,

An act supplementary to an act entitled an act to incorporate the Holly Springs Rail Road;

A bill to be entitled,

An act to repeal the fourth section of an act entitled an act for the suppression of tippling houses and to discourage the odious vice of drunkenness, approved February 9th, 1839, and for other purposes.

The Senate have passed the bill of the following title, to-wit:

A bill to be entitled,

An act to incorporate the Hernando and Mississippi Rail Road Company;

In which I am instructed to desire the concurrence of the House.

Mr. Neely, from the select committee to whom was referred a bill to amend the constitution of this State, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to; and,

On motion of Mr. Cypert,

Was laid on the table.

Mr. Suratt, from the select committee to whom was referred a bill to change the name of Tishemingo county, reported the same back to the House without amendment and recommended its passage;

Which was received and agreed to;

And the bill read the third time,

And passed with its title as stated.

Mr. Hamer, from the select committee to whom was referred a petition of sundry citizens of Tippah county, reported the same back to the House with a bill to be entitled,

An act for the benefit of the Salem Male and Female Academy;
Which was received and agreed to;
And the bill read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Catchings, from the select committee to whom was referred the Senate bill to provide for and establish common schools in the counties of Hinds, Holmes and Yalobusha, reported the same back to the House with sundry amendments thereto, and recommended its passage as amended.

Mr. Catchings moved that the report be received and agreed to.
A division being called for, the question was first taken on receiving, and decided in the affirmative.

On motion of Mr. Walker,
The report was laid on the table.
Mr. Cushman, by leave, called from the table the Senate bill entitled,

An act concerning the University of Mississippi;
Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Phillips, from the select committee to whom had been referred a petition of the citizens of Chulahoma, reported the same back to the House with a bill to be entitled,

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th Feb., 1846;
Which was received and agreed to;
And the bill read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

The following message was received from his excellency, the Governor, by his private secretary, Mr. Jones:

MR. SPEAKER—I am instructed by his excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to reduce the ex-officio services of clerks and sheriffs of the county of Perry, Green, Jones and Scott;

An act to amend the road laws of the county of Monroe.

Mr. Wilds, from the select committee to whom was referred the petition of Ezekiah McNabb, reported the same back to the House with a bill to be entitled,

An act to authorise Ezekiah McNabb to build a mill and mill dam;

Which was received and agreed to;

And the bill read the first time.‡

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Brown, from the committee on internal improvements, to whom was referred the bill providing for the leveeing the Mississippi river, in Tunica county, reported the same back to the House with sundry amendments thereto, and recommended its passage as amended.

Mr. Brown moved that the report be received and agreed to.

A division of the question being called for, was first taken on receiving,

And decided in the affirmative.

The question was then taken on agreeing,

And decided in the negative.

On motion of Mr. Yerger,

The bill with the amendments were referred to the committee of the whole for 11 o'clock on Saturday next.

Mr. Dilworth, by leave, introduced sundry claims which were referred to the committee on claims.

Mr. Mason, by leave, introduced a bill to be entitled,

An act to facilitate the collection of the revenues of the city of Vicksburg;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Yerger, by leave, introduced a bill to be entitled,

An act for the preserving and repairing levees in the county of Washington;

Which was read the first time.

On his motion,

The rule was suspended;

The bill read the second and third time forthwith;

And passed with its title as stated.

Mr. Yerger, by leave, introduced a bill to be entitled,

An act for the benefit of the tax collector of Washington county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

M. Yerger, by leave, introduced a bill to be entitled,

An act to abolish accommodation paper, and for other purposes;

Which was read the first time.

Mr. Yerger moved a suspension of the rules,

Which was lost.

Mr. Yerger, by leave, introduced a bill to be entitled,

An act to amend the laws in relation to attachments;

Which was read the first time.

On his motion,

The rule was further suspended,

The bill read the second time,

And referred to the judiciary committee.

Mr. Yerger, by leave, introduced a bill to be entitled,

An act to amend the revenue laws of this State;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And referred to the committee of ways and means.

Mr. Simrall, by leave introduced a bill to be entitled,

An act to incorporate the Robert Nelson Lodge No. 18, of the Independent order of Odd Fellows;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Ray, by leave introduced a bill to be entitled,

An act for the punishment of disturbers of public meetings;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time, forthwith ,

And passed with its title as stated.

Mr. Thomas of Yazoo, by leave, introduced a bill to be entitled,

An act in relation to the school fund, of township 12, range 2 east,
in Yazoo county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Slade, by leave, introduced a bill to be entitled,

An act to change the name of Green Hamilton Alford;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its stated.

Mr. Wilds, by leave, introduced a bill to be entitled,

An act declaring Roebuck lake, or Old river, a navigable stream;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Wilds, by leave, introduced a bill to be entitled,

An act to repeal an act to prohibit the police court of Sunflower county from levying a special tax, except in certain cases therein provided;

Which was read the first time.

On his motion,
 The rule was suspended,
 The bill read the second and third time, forthwith,
 And passed with its title as stated.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have disagreed to the amendment made by the House to the Senate bill of the following title, to wit:
 A bill to be entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846.

The Senate have passed the Senate bills of the following titles, to wit:

An act to authorize Robert Robson and Edwin E. Armstrong of Tallahatchie county to construct a turnpike road in said county;

A bill to be entitled,

An act for the relief of the sheriff or tax collector of Monroe county;

A resolution granting leave of absence from this State to Hon. A. B. Dawson;

A bill to be entitled,

An act to establish a uniform standard of weights and measures in this State;

In which, I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the following joint resolution:

Resolved, by the Senate, the House of Representatives concurring, that a joint committee, consisting of three on the part of the Senate, and five on the part of the House, be appointed to report by bill or otherwise, the best mode and manner of examining the books of the Auditor of Public Accounts and Executive office, from the year 1836; and the books of the Treasurer, from the year 1843, up to the 1st day of January, 1848; and have appointed as said committee on the part of the Senate, Messrs Stone, Boone, and Stewart;

In which I am instructed to desire the concurrence of the House of Representatives.

Mr. Catchings, by leave, introduced a bill to be entitled,

An act to authorize D. B. Nailor, his heirs and assigns to build a turnpike road across the Big Black swamp in the county of Warren;

Which was read the first time.

On his motion;

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Thames, by leave, introduced a bill to be entitled,

An act to incorporate Evergreen Lodge No. 97, in the town of Decatur, of Free and Accepted Masons;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Bynum, by leave, introduced a bill to be entitled,

An act for the relief of Joseph Pool, late sheriff of Jones county;

Which was read the first time.

Mr. Bynum moved a suspension of the rule;

Which was lost.

The House then proceeded to the consideration of the local bills on the orders of the day, pursuant to a resolution adopted by the House on Tuesday last.

The House bill entitled,

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi;

Was read the third time,

And passed with its title as stated.

The House bill entitled,

An act to repeal an act to authorize the board of police to locate the seat of justice of Bolivar county,

Was read the third time,

And passed with its title as stated.

Mr. Nailor, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature bills of the following titles, to-wit:

A resolution granting leave of absence to the Hon. Hugh R. Miller;

An act to incorporate the town of Marion, in Lauderdale county;

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison, Washington, and Tunica;

An act to extend the time to Andrew Kerr, to complete the turnpike road in the county of Tunica, approved 21st February, 1840.

An act to amend an act to provide for the licensing billiard tables, approved February 23d, 1844;

An act to add certain counties therein named, to the Southern Vice Chancery District, &c.;

An act to incorporate the Grand Division of the Sons Temperance of the State of Mississippi;

An act to prescribe the mode of punishment for Petit larceny;

An act to prohibit the burning of woods in certain counties therein named;

An act to legalise the sale and purchase of the southwest quarter of section 16, and the southeast quarter of section 16, all in township number 2, of range number 14 east, lying and being in the county of Clarke and State of Mississippi, sold December 23d, 1837, to Littleberry Lott and Moses Sumrall, jr. severally.

The following message was received from the Senate, by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have concurred in the amendment made by the House to the resolution from the Senate, fixing Saturday the 24th inst. as the day for the adjournment of the two Houses, sine die

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to establish the lunatic Asylum for the State of Mississippi,

A bill to be entitled,

An act for the relief of the widow and heirs of James M. Matlock, of Desoto county;

A preamble and resolutions instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law authorizing the appropriation of the two per cent fund to the rail road east;

In which I am instructed to desire the concurrence of the House of Representatives.

The President of the Senate did, on this day, sign the acts from the House of the following titles, to wit:

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1848;

An act for the further endowment of the University of Mississippi.

The Senate have concurred in the amendment made by the House to the bill from the Senate of the following title, to wit:

A bill to be entitled,

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, A. D. 1842

The House bill entitled,

An act for the relief of certain citizens of Jones county,

Was read the third time,

And passed with its title as stated.

The House bill entitled,

An act to restore the town of Woodville certain privileges granted in the act of incorporation, &c.,

Was read the third time,

And passed with its title as stated.

The House bill entitled,

An act to reduce the salary of the tax assessor in Jackson county;

Was read the third time,

And passed with its title as stated.

The Senate bill entitled,

An act to reduce the per diem allowance of the probate judge of Lauderdale county,

Was read the second time.

On motion of Mr. Carroll,

The rule was suspended,

The bill read the third time, forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of James W. Evans and George O. Wilson of Claiborne county,

Was read the second time.

Mr. Valentine moved a suspension of the rule,

Which was lost.

The Senate bill entitled,

An act to amend an act to incorporate the Greensboro Academy,
and for other purposes,

Was read the third time.

And passed with its title as stated.

The Senate bill entitled,

An act for the future management of the common school fund in
Tishemingo county, was,

On motion of Mr. Dilworth,

Laid on the table.

The Senate bill entitled,

An act authorizing Benjamin Land and Jonathan Morris of Pa-
nola county, to construct a rail road in said county,

Was read the second time.

On motion of Mr. Wilson,

The rule was suspended,

The bill read the third time, forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to change and reduce the corporate limits of the town
of Grand Gulf, in the county of Claiborne, &c.,

Was read the second time.

On motion of Mr. Valentine,

The rule was suspended,

The bill read the third time, forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to attach portions of Issaquena and Washington counties
to Yazoo county,

Was read the second time.

On motion of Mr. Slade,

The bill was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Thomas of
Yazoo, Powell, and Yerger.

The House bill entitled,

An act to remove the civil disabilities of F. J. Funness a mi-
nor of Hinds county,

Was read the third time,
 And passed with its title stated.
 The House bill entitled,
 An act to incorporate Euphemia Chapter of Royal Arch Masons
 in the town of Aberdeen, Monroe county,
 Was read the second time.

On motion of Mr. Fortson,
 The rule was suspended,
 The bill read the third time,
 And passed with its title as stated.
 The House bill entitled,
 An act for the relief of Carey D. Tucker,
 Was read the second time.

Mr. Brooke asked for a suspension of the rules;
 Which was lost.

The House bill entitled,
 An act for the relief of Joshua Wilson,
 Was read the second time.

On motion of Mr. Cushman,
 The House resolved itself, forthwith, into committee of the
 whole on said bill,
 Mr. Liddell in the Chair.

After sometime spent therein, the committee rose, reported the
 bill back to the House without amendment, and recommended its
 passage;

Which was received.

On motion of Mr. Dilworth,
 The bill was laid on the table for the balance of the session.
 The House bill entitled,
 An act for the relief of Jefferson J. Hughes,
 Was read the third time,
 And passed with its title as stated.
 The House bill entitled,
 An act for the relief William Barton,
 Was read the second time.

On motion,
 The bill was ordered to be engrossed for a third reading on to-
 morrow.

The House bill entitled,

An act for the relief of the Tillatoba slackwater navigation company,

Was read the second time.

On motion of Mr. Foree,

The rule was suspended,

The bill read the third time, forthwith,

And passed with its title as stated.

The House bill entitled,

An act to incorporate the Canton Insurance Company,

Was read the second time.

On motion of Mr. Henry,

The bill was ordered to be engrossed for a third reading on to-morrow.

The House bill supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge,

Was read the third time,

And passed with its title as stated.

The Senate bill entitled,

An act to amend an act to establish a system of common schools and for other purposes, approved March 4, 1846,

Was read the second time.

On motion of Mr. Mason,

The rule was suspended,

The bill read the third time,

And passed with its title as stated.

On motion of Mr. Ford,

The House took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The recess having expired,

The House resumed the consideration of the orders of the day.

Mr. Connell by leave, introduced the following resolution:

Resolved, That after Monday the 28th inst. no claim against the State shall be presented and referred to the committee on claims, with the exception of such claims as may have accrued during the present session thereof;

Which was adopted.

The Senate bill entitled,

An act to amend an act to authorize the mayor and aldermen of the city of Jackson, to erect a toll bridge,

Was read the second time.

**On motion of Mr. Catchings,
The rule was suspended,
The bill read the third time,
And passed with its title as stated.**

**The Senate bill entitled,
An act to incorporate the Raymond female institute,
Was read the second time.**

**On motion of Mr. Catchings,
The rule was suspended,
The bill read the third time,
And passed with its title as stated.
The House bill entitled,
An act to emancipate a certain slave therein named,
Was read the second time.**

**On motion of Mr. Whitfield,
The bill was rejected.
The Senate bill entitled,
An act for the relief of the administrators of James T. Stockard, deceased,**

Was read the second time.

**On motion of Mr. Suratt,
The bill was referred to the committee on claims.
The House bill entitled,
An act for the relief of Silas L. Steen,
Was read the second time.**

**On motion of Mr. Lynch,
The rule was suspended,
The bill read the third time,
And passed with its title as stated.**

**On motion of Mr. Houston,
The Senate bill entitled,
An act for the relief of the Aberdeen female academy,
Was called from the table,
Read the third time,
And passed with its title as stated.**

On motion of Mr. Whitfield,

The House bill entitled,

An act to incorporate the Columbus female institute in the town of Columbus, in the county of Lowndes,

Was called from the table.

Mr. Whitfield offered the following amendment:

Amend the proviso in 1st section by striking out "one hundred" and inserting "fifty."

Amend the 11th section after the word "and," in the third line by inserting the following words: "That the square in the plan of said town, on which the principal buildings of said institute are situated;"

Which was adopted.

On motion of Mr. Whitfield,

The bill and amendments were considered as engrossed,

The bill read the third time,

And passed with its title as stated.

On motion of Mr. Steele,

The report of the minority of the committee on the bill entitled
An act for the establishment of a new county to be called the
county of Quitman,

Was called from the table.

Mr. Trigg moved to lay the whole matter on the table for the balance of the session;

Which was decided in the affirmative by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Arnold, Bardin, Bond, Byrn, Campbell of Franklin, Carroll, Catchings, Collier, Cushman, Dampier, Davis, Dilworth, Duke, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Garrett, Godfrey, Hancock, Henry, Hinds, Hogue, Holden, Huie, Johnston, Mason, McAfee, McInnis, McLaurin, Melton, Moore, Nailor, Neely, Phillips, Simrall, Smith, Stanton, Steger, Stewart, Thames, Thomas of Marshall, Trigg, Valentine, Weathersby, West of Wayne, Wilson, and Wooldridge—51.

NAYS—Messrs. Abbott, Alderson, Brooke, Bynum, Cleveland, Gatlin, Hamer, Harrington, Houston, Liddell, Lynch, McWilliams, Metcalf, Myers, Sanders, Steele, Suratt, Walker, Weir, West of Holmes, and White—21.

Mr. Moore by leave, introduced a bill to be entitled,

An act to provide further time for holding the circuit court of Noxubee county at the next June term of the same;

Which was read the first time.

On motion of Mr. Moore,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

Mr. Hancock moved that the House adjourn until to-morrow morning half after nine o'clock;

Which was lost.

Mr. McAfee by leave, introduced a bill to be entitled,
An act to extend the time of holding the probate court of Attalla county;

Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

On motion of Mr. Walker,
The bill entitled,
An act for the relief of James E. Matthews,
Was called from the table.

Mr. Walker offered the following amendment:

Amend by striking out the first section after the enacting clause.

Mr. Brooke moved to lay the bill and amendment on the table for the balance of the session;

Which was decided in the negative by yeas and nays as follows:

YEAS—Messrs. Bardin, Brooke, Cleveland, Collier, Cypert, Duke, Ellis, Foote of Noxubee, Ford, Foree, Godfrey, Harrington, Henry, Holden, Johnston, McAfee, Mason, McInnis, McLaurin, Melton, Myers, Nailor, Neely, Powell, Ray, Sanders, Simrall, Smith, Steele, Trigg, Weathersby, Weir, West of Wayne, West of Holmes, and White—36.

NAYS—Mr. Speaker, Messrs. Abbot, Alderson, Arnold, Bond, Brumfield, Bynum, Byrn, Campbell of De Soto, Campbell of Franklin, Carroll, Catchings, Dampier, Davis, Dilworth, Echols, Foote of Tippah, Fortson, Gatlin, Hamer, Hill, Hinds, Hogue, Huie, Liddell, Lynch, McWilliams, Neill, Phillips, Stewart, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Valentine, Walker, Whitfield, Wilds, Wilson, Wooldridge and Yerger—43.

The question was then taken on the adoption of the amendment offered by Mr. Walker,

And decided in the negative.

Mr. Stanton offered the following amendment:

Amend by inserting "the sum of \$1,448, to be paid to the sheriff of Adams county, for services rendered by him to the State of Mississippi from the year 1840 to 1847; which,

On motion of Mr. Liddell,

Was laid on the table.

Mr. West of Holmes, offered the following amendment:

Be it further enacted, That the Auditor be instructed to give a warrant to Mr. Munson, the assessor of Holmes county, the sum of three hundred dollars for services unrewarded; which,

On motion of Mr. Suratt,

Was laid on the table.

Mr. Brooke offered the following amendment:

Be it further enacted, That the assessors who were elected at the general election in 1845, and whose compensation was reduced, and whose duties were increased by an act of the Legislature passed in 1846, be, and they are hereby allowed the additional sum of two per cent on the amount of their several assessments of taxes for the years 1846 and 1847, and the Auditor is hereby required to audit the several claims to said sum.

Pending the question on the adoption of said amendment,

Mr. Myers moved that the House adjourn until half past 9 o'clock to-morrow morning;

Which motion failing,

On motion of Mr. Whitfield,

The House adjourned until half past 7 o'clock.

HALF-PAST SEVEN O'CLOCK P. M.

The recess having expired, the House resumed its session.

The question recurred on the adoption of the amendment offered by Mr. Brooke to the bill for the relief of James E. Matthews.

On motion of Mr. Campbell of Desoto,

The further consideration of said bill was postponed until to-morrow morning.

Mr. Echols moved that the regular orders be suspended, to enable him to take up a bill to regulate the practice of physicians;

Which was lost.

The Senate bill entitled,
 An act to legalize the sale of the 16th sections of township 6,
 range 16 east, in the county of Lauderdale,
 Was read the first time.

On motion of Mr. Clayton,
 The rule was suspended,
 The bill read the second and third time, forthwith,
 And passed with its title as stated.

The Senate bill entitled,
 An act for the relief of Thomas Blewit Godbold,
 Was read the first time.

On motion of Mr. Whitfield,
 The rule was suspended,
 The bill read the second and third time, forthwith,
 And passed with its title as stated.

The Senate bill entitled,
 An act to repeal an act entitled an act to incorporate the town
 of Greensboro, and to repeal all acts incorporating the same, ap-
 proved 18th Feb. 1846, and for other purposes,
 Was read the first time.

On motion of Mr. Ray,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act for the relief of James M. Wynn, sheriff and tax collec-
 tor of Lowndes county,
 Was read the first time.

On motion of Mr. Whitfield,
 The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.
 The Senate bill entitled,
 An act to authorize the president and directors of the West
 Feliciana rail road company to close up the banking department
 of that institution, and for other purposes,
 Was read the first time.

On motion of Mr. Simrall,
 The rule was suspended,

And the bill read the second time.

Mr. Simrall offered an amendment by way of additional section;
Which was adopted.

Mr. Abbott offered the following amendment:

"Strike out the 5th section of the bill;" which,

On motion of Mr. Ford,
Was laid on the table.

On motion of Mr. Whitfield,
The rule was further suspended,
The bill read the third time,
And passed with its title as stated.

The Senate bill entitled,
An act to incorporate the town of Charleston in Tallabatchie
county,

Was read the first time.

On motion of Mr. Mr. Foree,
The rule was suspended,
The bill read the second and third time, forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act to confer on John W. Snodgrass, a minor, certain privi-
leges,

Was read the first time.

On motion of Mr. Valentine,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act to reduce the corporate limits of the town of Holly
Springs,

Was read the first time.

On motion of Mr. Phillips,
The rule was suspended,
The bill read the second and third time, forthwith,
And passed with its title as stated.

The Senate bill entitled,
An act to change the name of Martha A. Knowland,
Was read the first time.

On motion of Mr. Whitfield,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of John Deer, sr. surviving executor of B. Haley, deceased,

Was read the first time.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to incorporate the Washington fire engine company No. 4, of the city of Vicksburg,

Was read the first time.

On motion of Mr. Mason,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to incorporate the Hernando and Mississippi rail road company,

Was read the first time.

On motion of Mr. Campbell of Desoto,

The rule was suspended,

The bill read the second and third time forthwith;

And passed with its title as stated.

The Senate resolution granting leave of absence from the State to the Hon. A. B. Dawson,

Was read the first time.

On motion of Mr. Myers,

The rule was suspended,

The resolution read the second and third time forthwith and adopted.

The Senate bill entitled,

An act for the relief of the sheriff and tax collector of Monroe county,

Was read the first time.

On motion of Mr. Fortson,

The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

The Senate bill entitled,

An act to authorize Robert Robinson and Edward E. Armstrong
 of Tallahatchie county, to construct a turnpike road in said county,
 Was read the first time.

On motion of Mr. Force,

The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

The Senate preamble and resolutions instructing our senators
 and requesting our representatives in Congress to urge upon Con-
 gress the passage of a law authorising the appropriation of the
 two per cent. fund to the rail road east,
 Was read the first time.

On motion of Mr. Lynch,

The rule was suspended,
 The preamble and resolutions read the second and third time
 forthwith,
 And adopted.

The Senate bill entitled,

An act for the relief of the widow and heirs of James M. Mat-
 tock of De Soto county;
 Was read the first time.

On motion of Mr. Campbell of De Soto,

The rule was suspended,
 The bill read the second and third time forthwith,
 And passed with its title as stated.

The Senate resolution raising a joint select committee to report
 by bill or otherwise the best mode and manner to examine the books
 of the Auditor, Treasurer and executive offices, was read.

On motion of Mr. Ford,

The rule requiring joint resolutions to lay one day on the table
 was suspended,
 And the resolution concurred in.

Mr. Ellis, by leave introduced a bill to be entitled,

An act to incorporate the Enterprise Academy in the county of
 Clarke;

Which was read the first time.

On motion of Mr. Ellis,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Ellis, by leave, introduced a bill to be entitled,

An act to incorporate the Pleasant Hill Male and Female Academy, in the county of Jasper;

Which was read the first time.

On motion of Mr. Ellis,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Dampier, by leave, introduced a bill to be entitled,

An act to regulate the time of holding the Probate Court of Simpson county;

Which was read the first time.

On motion of Mr. Dampier,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Bond, by leave, introduced a bill to be entitled,

An act to reduce the per diem allowance of the Board of Police in the counties of Harrison and Hancock, and for other purposes;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Weir, by leave, introduced a bill to be entitled,

An act to change the time of holding the Probate Court of Yalobusha county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Byrn, by leave introduced a bill to be entitled,

An act to incorporate the Peyton Turnpike Company;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Wilson, by leave, called from the orders of the day, a bill to be entitled,

An act for the relief of Thomas Kirkman, executor of the estate of James Jackson;

Which was read the second time.

On his motion,

The rule was suspended,

The bill read the third time,

And passed with its title as stated.

Mr. McInnis, by leave, introduced a bill to be entitled,

An act to incorporate the Salem High School Association in Greene county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Davis, by leave, introduced a bill to be entitled,

An act to reduce the per diem allowance of the Board of Police of Jackson county;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Byrn introduced a bill to be entitled,

An act to repeal an act to authorise the Board of Police of Tunica county to levy a special tax;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Sanders, by leave, introduced a memorial and resolutions of

the legislature of the State of Mississippi to the Congress of the United States in relation to a mail route;

Which was read the first time.

On his motion,

The rule was suspended.

The memorial and resolution read the second and third time forthwith,

And adopted.

Mr. Lynch, by leave, introduced a bill to be entitled,

An act to revive an act incorporating the town of Brandon, approved May 12th, 1837, and for other purposes;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time,

And passed with its title as stated.

Mr. Powell, by leave, introduced a bill to be entitled,

An act declaring Little Sunflower river and other streams navigable;

Which was read the first time.

On motion of Mr. Powell,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. McInnis, by leave, introduced a bill to be entitled,

An act to change the time of holding the Probate Courts in the counties of Greene and Wayne;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Wilds, by leave, introduced a bill to be entitled,

An act for the relief of the sheriffs of Washington, Issaquena and Sunflower counties;

Which was read the first time.

On motion of Mr. Wilds,

The rule was suspended,

And the bill read the second time forthwith by its title, and,

On motion of Mr. Suratt,

Was referred to the committee on ways and means.

Mr. Bond, by leave, introduced a bill to be entitled,

An act to reduce the per centage of the county treasurer of Harrison county, so far as relates to the common school fund;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Neill, by leave, introduced a bill to be entitled,

An act to appropriate to purposes of common schools the amount of moneys collected of the retailers of vinous and spiritous liquors in the town of Carrollton;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Fortson, by leave, introduced a resolution requiring the Secretary of State to furnish books to certain officers therein named;

Which was read the first time.

On his motion,

The rule was suspended,

The resolution read the second and third time forthwith,

And passed with its title as stated.

The Chair announced the appointment of the following committee on the part of the House on the resolution from the Senate relative to the manner of examining the books of the Auditor and executive officers, to-wit:

Messrs. Ford, Fortson, Alderson, West of Holmes and Foote of Noxubee.

On motion of Mr. Johnston,

The House adjourned until half past 9 o'clock to-morrow morning.

FRIDAY, FEBRUARY 25, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Rev. Mr. Frazee, of the city of Jackson.

On motion of Mr. Phillips,

The reading of the journal was dispensed with.

Mr. Abbott, from the joint select committee to whom was referred the question of leasing out the State prison, made the following report:

MR. SPEAKER—The joint select committee to whom was referred the question of leasing out the State prison, have instructed me to make the following report:

Your committee, after causing the officers and guards of said prison to come before them and answer to such questions, under oath, as might be propounded, and having duly weighed and considered the facts set forth, have come to the conclusion that the best policy of the State demands that it should be leased out to some suitable and competent person or persons under due and proper restrictions and regulations to be prescribed by law, for a term of years.

Your committee have made considerable enquiry into the mode of doing business in the penitentiary, and do not hesitate to assert that in their opinion, the State has sustained great loss from the want of a proper system. There is no mode by which fraud can be detected—no checks nor balances. For instance, the guards are made heads of shops to sell, receive money and keep an account of work done. This account and the amount of sales is rendered to the superintendent once a week. Without imputing dishonesty to any, your committee can not but see the temptation to its commission, by allowing funds to remain in the hands of the heads of shops so long a time, their report might be incorrect and no remedy at hand.

Your committee believe that much of the loss to the State may be attributed to this fact. They also believe that the salaries of some of the officers should be reduced, and the duties of others more clearly defined, and a more strict accountability encouraged. They further believe and recommend that there be a penitentiary store outside of the prison in which all manufactured articles shall be deposited for sale; and that the clerk of the prison should be

the salesman of all such manufactured articles, and that he shall keep a full and true account of all articles sold and of the amount received.

Your committee have instructed me to report a bill of the following title, in conformity with the foregoing convictions and results, to-wit:

A bill to be entitled,

An act for leasing out the penitentiary, and for other purposes;

Which was received and agreed to;

And the bill read the first time.

On motion of Mr. Abbott,

The report and bill was laid on the table, and two hundred copies ordered to be printed.

Mr. Connell, from the joint standing committee on claims, to whom was referred the petition of Thomas T. Higgenbotham, reported the same back to the House with a bill to be entitled,

An act for the relief of Thomas T. Higgenbotham;

Which was received and agreed to;

And the bill read the first time.

On his motion,

The rule was suspended,

The bill read the second time,

And the House resolved itself into committee of the whole forthwith on said bill, Mr. Dilworth in the chair.

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage.

Mr. Dilworth moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And decided in the affirmative.

Was then taken on agreeing,

And decided in the affirmative.

Mr. Thomas of Yazoo moved a suspension of the rule,

Which was lost.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

An act relative to the trustees of the University of the State of Mississippi;

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833;

An act authorizing Benjamin F. and Jonathan Morris of Panola county to construct a rail road in said county;

An act supplementary to an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846:

An act to enable the tax collectors more efficiently to collect the revenue of this State;

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, A. D. 1842, and for other purposes;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to stage routes;

And have found the same correctly enrolled.

Mr. Hancock, from the committee of ways and means, to whom was referred a bill to be entitled an act further to provide for the public revenue, reported the same back to the House with a substitute in lieu thereof, and recommended its passage;

Which was received and agreed to,

And the substitute read the first time.

Mr. Stanton moved a suspension of the rule,

Which was lost.

Mr. Campbell of Desoto, from the joint standing committee on State and Federal relations, to whom was referred the memorial of sundry citizens asking the Legislature to memorialize Congress to open the obstructions in the Bayou Manshac, or Iberville river, reported, the same back to the House, and recommended that it would be inexpedient to ask Congress to legislate upon the subject;

Which was received and agreed to.

Mr. Brown, from the joint standing committee on internal improvements on the part of the House, to whom was referred the

memorial of sundry citizens of Tunica and Bolivar county, reported the same back to the House, with a bill to be entitled;

An act to provide for the construction of levees on the Mississippi river,

And recommended its passage.

Mr. Brown moved that the report be received and agree to.

A division being called for, the question was first taken on receiving, and decided in the affirmative.

The question was then taken on agreeing, and decided in the affirmative, and the bill read the first time.

On motion,

The bill was laid on the table, and 200 copies ordered to be printed.

Mr. Brown, from the same committee, on the part of the House, to whom was referred the subject in relation to the improvement of the rivers of this State, reported the same back to the House, with a bill to be entitled,

An act to provide for the improvement of the navigation of the rivers in the State of Mississippi,

And recommended its passage;

Which was received and agreed to,

And the bill read the first time.

Mr. Brooke moved the rejection of the bill; which was lost.

On motion of Mr. Brown,

The bill was laid on the table, and 200 copies ordered to be printed.

Mr. Stanton moved to call from the table the bill to be entitled,

An act to establish a State Normal School;

Which was lost.

On motion of Mr. Catchings,

The bill to be entitled,

An act to provide for and establish common schools,

Was called up.

The House resolved itself into committee of the whole forthwith, on said bill,

Mr. Whitfield in the chair.

After sometime spent therein, the committee rose, reported the bill back to the House with sundry proposed amendments, and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Catchings moved to lay the proposed amendments offered by Mr. Cypert, to the second section of the bill, on the table, to wit:

Amend the 2d section, 3d line, by striking out the words, of each county;

Amend the 2d section and 5th line, by striking out the word, county, and inserting the word, State;

Amend 6th line by striking out before the word fund, the word, special, and inserting the word, general; and after the words, of the, strike out the word, county, and insert the word State;

Amend 8th line, 2d section, by striking out the word, county, and inserting the word, State;

Which was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Abbott, Bardin Campbell of Desoto, Catchings, Connell, Duke, Foote of Noxubee, Foote of Tippah, Ford, Fortson, Godfrey, Harrington, Johnston, Melton, Phillips, Powell, Simrall, Slade, Smith, Steger, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, White, Whitfield, Whitmore, Wilds, and Wilson—28.

NAYS—Mr. Speaker, Messrs. Alderson, Arnold, Bond, Brooke, Brumfield, Bynum, Byrn, Campbell of Franklin, Carroll, Cleveland, Collier, Cushman, Cypert, Dampier, Davis, Dilworth, Ellis, Garrett, Gatlin, Hall, Henry, Hill, Hinds, Hogue, Holden, Huie, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Metcalf, Moore, Myers, Neely, Noble, Ray Sanders, Steele, Stewart, Suratt, Thames, Toulme, Valentine, Walker, Weathersby, Weir, West of Wayne, West of Holmes, and Yerger—53.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined, bills of the following titles; to wit:

An act to change the name of Martha A. Knowland;

An act to amend an act entitled an act to authorize the mayor and aldermen of the city of Jackson to erect a bridge across Pearl river;

An act to provide for the election of the Clerk of the Superior court of Chancery;

An act to incorporate the Washington fire engine company, No. 4, of Vicksburg;

An act in relation to the redemption of land purchased by the State for taxes;

An act for the relief of Thomas Blewet Godbold;

An act to repeal an act entitled an act to incorporate the town of Greensboro, and repeal all other acts incorporating the same, approved 18th February, 1846;

A preamble and resolution instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law, authorizing the appropriation of the two per per cent fund to the rail road east;

An act to reduce the corporate limits of the town of Holly Springs;

A resolution granting leave of absence from this State to the Hon. A. B. Dawson;

And have found the same correctly enrolled.

A message was received from the Senate by their messenger.

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have granted leave to the introduction of a bill of the following tittle, to wit:

A bill to be entitled,

An act to provide for equalising stray laws.

The Senate have concurred in the amendments of the House, to the Senate bill in relation to the election of the clerk of the Superior court of Chancery.

The Senate have passed the Senate bills of the following titles, to wit:

A bill to be entitled,

An act to change the time of holding the circuit court for the counties of Leake and Attala;

A bill to be entitled,

An act for the relief of John A Cotton;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills from the House of the following titles, to wit:

A bill to be entitled,

An act in relation to the redemption of lands purchased by the State for taxes;

A bill to be entitled,

An act to prohibit the sale of vinous and spirituous liquors, in less quantities than five gallons, within five miles of the University of Mississippi;

A bill to be entitled,

An act to incorporate the town of Oakland, in Yalobusha county;

A bill to be entitled,

An act for the relief of Thomas Pleasants.

The Senate have concurred in the amendments made by the House to the bills of the following titles, to wit:

A bill to be entitled,

An act requiring the Treasurer of Pontotoc county to loan the school fund of said county;

A bill to be entitled,

An act to attach the county of Claiborne to the southern district Chancery court of the State of Mississippi;

A bill to be entitled,

An act to exempt from sale, under execution, the libraries of ministers of the gospel;

The Senate have receded from their disagreement to the amendments made by the House to the Senate bill entitled,

An act to define the duties of the board of county police of Tip-pah county, &c.

The Senate have passed the Senate bill of the following title, to wit:

A bill to be entitled,

An act to provide for the application of the common school fund that has, or may hereafter accrue, under an act approved 4th March, 1846, in the county of Monroe, and for other purposes;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed the bills from the House of the following titles, to wit:

A bill to be entitled,

An act for the relief of Charles Clark and others;

A bill to be entitled,

An act to repeal, in part, an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first of January, 1841, approved February 6, 1841;

A bill to be entitled,

An act for preserving and repairing levees in the county of Washington;

An act to revise and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th, February, 1846;

A bill to be entitled,

An act to revive an act entitled an act to incorporate the town of Macon in the county of Noxubee, approved February 22d, A. D. 1842;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the trustees of the Louisville academy, and for other purposes, approved 9th May, 1837;

A bill to be entitled,

An act to incorporate the town of Snowsville, in Choctaw county;

A bill to be entitled,

An act for the benefit of the tax collector of Washington county;

A bill to be entitled,

An act to facilitate the collection of the revenues of the city of Vicksburg.

Pending the question on the adoption of the proposed amendments, to the bill, offered by Mr. Cypert,

On motion of Mr. Cetchings,

The House adjourned until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Connell,

Resolved, That the Auditor of Public Accounts be requested to furnish this House with a full statement of the accounts wherein J. J. Henry, assessor and collector of taxes for Madison county, and Jos. H. Vannoy, his successor, for the years 1838 and 1839, to the end that the committee on claims may be put in the possession of all the facts in any way connected with this case, pending before said committee.

Mr. Alderson, by leave, introduced a resolution granting leave of absence from the State to W. L. Sharkey and A. M. Clayton;

Which was read the first time.

On his motion,

The rule was suspended,

The resolution read the second and third time forthwith, and adopted.

Mr. Whitfield, by leave, introduced a resolution requiring the boards of police of the several counties to fix the county levies;

Which was read the first time.

On his motion,

The rule was suspended,

The resolution read the second and third time, and passed.

Mr. Alderson from the joint standing committee, on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act authorising Benjamin F. and Jonathan Morris of Panola county to construct a rail road in said county;

An act supplementary to an act, entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved 25th day of December, 1833;

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, 1842, and for other purposes;

An act to enable the tax collectors more efficiently to collect the revenue of this State;

An act relative to the trustees of the University of the State of Mississippi;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to stage routes;

An act for the further endowment of the University of Mississippi;

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818.

A message from the Senate through their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills] from the House of the following titles, to wit:

A bill for the relief of E. McNabb;

A bill to be entitled,

An act for the punishment of disturbers of public worship;

An act to declare Roebuck lake a navigable stream;

A bill to be entitled,

An act to change the name of Tishemingo county, and have made an amendment thereto;

In which, I am instructed to desire the concurrence of the House of Representatives.

A bill to be entitled,

An act in relation to the school fund of township 12, range 2 east, in Yazoo county;

An act to repeal an act entitled an act to prohibit the police court of Sunflower county from levying a special tax, except in cases therein prescribed;

A bill to be entitled,

An act to authorize Daniel B. Nailor, his heirs and assigns, to build a turnpike road across the Big Black swamp in the county of Warren and State of Mississippi, from the ferry known as Baldwin's ferry to Regan's Island;

A bill to be entitled,

An act to repeal an act entitled an act to authorize the board of police to locate the seat of justice in Bolivar county, approved 28th, February, 1846, and for other purposes;

A bill to be entitled,

An act granting John V. Newman, of Bolivar county, ferry privileges across the Mississippi river;

A bill to be entitled,

An act for the relief of certain citizens of the county of Jones;

A bill to be entitled,

An act to reduce the salary of the tax assessor in the county of Jackson;

A bill to be entitled,

An act to remove the civil disabilities of Felix F. Funchess, a minor of Hinds county;

A bill to be entitled,

An act for the relief of the Tillatoba slack-water navigation company;

A bill supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge, &c.;

And have passed a Senate bill of the following title, to wit:

A bill to be entitled,

An act to amend the practice of the several courts of this State;
In which I am instructed to desire the concurrence of the House of Representatives.

The unfinished business was then considered, to wit:

The bill in relation to common schools.

The question recurred on the adoption of the amendment offered by Mr. Cypert.

Mr. Foote of Noxubee, moved to lay the bill with the amendment on the table for the balance of the session;

Which was decided in the negative by yeas and nays as follows:

YEAS—Messrs. Abbott, Arnold, Bardin, Collier, Connell, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Fortson, Foree, Garrett, Harrington, Hinds, Hogue, Johnston, Liddell, McAfee, McWilliams, Melton, Moore, Nailor, Neely, Neill, Phillips, Powell, Ray, Simrall, Smith, Stanton, Steele, Steger, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Walker, Whitfield, Whitmore, and Wilson—42.

NAYS—Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Cleveland, Cushman, Cypert, Dampier, Davis, Ellis, Gatlin, Hall, Henry, Hill, Holden, Lynch, Mason, McInnis, McLaurin, Metcalf, Myers, Noble, Sanders, Stewart, Suratt, Thames, Toulme, Valentine, Weathersby, Weir, West of Wayne, West of Holmes, White, Wilds, Wooldridge, and Yerger—44.

The question was then taken on the adoption of the amendment offered by Mr. Cypert, and decided in the affirmative.

Mr. Cypert offered the following amendment:

Amend 2d section by adding this proviso:

Provided, That nothing in this section contained shall prevent the several townships in each county from uniting and establishing such schools in said counties as may be required at such places as they may designate, when the funds are not sufficient to establish schools in the townships severally;

Which was adopted.

Mr. West of Holmes offered the following amendment:

Strike out, in section 2, the four first lines and the 5th to, "and together with other," and insert the following:

Be it further enacted, That the sum of one hundred and twenty thousand dollars be, and the same is hereby appropriated out of any moneys not otherwise appropriated, to the support of a general system of common schools throughout the State, and the further sum of \$120,000, to be paid to the common school fund on the 1st day of May, 1849, and shall remain in the State Treasury.

On motion of Mr. McWilliams,

The amendment was laid on the table by yeas and nays, as follows—

YEAS—Mr. Speaker, Messrs. Abbott, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Catchings, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Garrett, Gatlin, Godfrey, Hall, Harrington, Hinds, Houge, Holden, Huie, Johnston, Liddell, Lynch, McAfee, McLaurin, McWilliams, Melton, Metcalf, Moore, Myers, Neely, Neill, Noble, Phillips, Ray, Simrall, Smith, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Toulme, Trigg, Valentine, Walker, Weathersby, Whitfield, Wilds, Wilson, and Yerger—63.

NAYS—Messrs. Brooke, Campbell of Desoto, Campbell of F., Foote of T., Ford, Henry, McInnis, Nailor, Powell, Sanders, Stanton, Thomas of Yazoo, Torrey, Weir, West of Holmes, West of Wayne, White, and Whitmore—18.

Mr. Whitfield moved to postpone the further consideration of the subject until to-morrow.

Before the question was taken,

On motion of Mr. Dilworth,

The House took a recess until half past 7 o'clock.

HALF-PAST SEVEN O'CLOCK P. M.

The recess having expired,

The House resumed its session.

The question was taken on the motion of Mr. Whitfield, pending the recess, to postpone the further consideration of the bill for the establishment of common schools until to-morrow, and decided in the affirmative.

On motion of Mr. Whitfield,

The bill to be entitled,

An act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes,

Was called from the table, and read the second time by its title.

On motion of Mr. Dilworth,

The House resolved itself into committee of the whole, forthwith on said bill,

Mr. Liddell in the Chair.

After sometime spent therein, the committee rose, reported progress and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Walker moved, that the House adjourn until half after nine o'clock, to-morrow morning;

Which was lost.

Mr. Trigg moved to lay the bill on the table for the balance of the session;

Which was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Bond, Brooke, Brumfield, Bynum, Carroll, Catchings, Collier, Cypert, Dampier, Foree, Garrett, Hill, Hinds, Hogue, Johnston, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Moore, Myers, Neely, Sanders, Simrall, Smith, Torrey, Toulme, Trigg, Valentine, Walker, and White—33.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Cleveland, Connell, Dilworth, Duke, Ellis, Foote of Tippah, Fortson, Gatlin, Harrington, Holden, Liddell, Melton, Metcalf, Neill, Phillips, Powell, Ray, Stanton, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Weathersby, West of Holmes, Whitfield, Whitmore, Wilds, and Wilson—38.

On motion of Mr. Simrall,

The House adjourned until to-morrow morning half past 9 o'clock.

SATURDAY, FEBRUARY 26, 1848.

The House met pursuant to adjournment.

On motion of Mr. Walker,

The morning business was suspended to enable him to introduce a bill to be entitled,

An act to repeal the sixty-sixth section of an act to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes, approved February 24th, 1844;

Which was read the first time.

On his further motion,

The rule was suspended,

The bill read the second time,

And referred to a select committee of five.

The Chair appointed on said committee Messrs. Walker, McWilliams, Whitfield, Brooke and Melton.

On motion of Mr. Brooke,

The bill to provide for the sale of lands heretofore purchased by the State at tax sale,

Was called from the orders of the day,

Was read the third time,

And passed with its title as stated.

On motion of Mr. Wooldridge,

The bill entitled an act to amend and alter the militia laws of this State, was called from the orders of the day, which being a special order for the committee of the whole;

Mr. Dilworth moved that the committee of the whole be discharged from the further consideration of said bill;

Which was lost.

On motion of Mr. Henry,

The House resolved itself into committee of the whole, forthwith, on said bill, Mr. Whitfield in the chair.

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage,

Which was received and agreed to.

Mr. Suratt offered the following amendment:

Amend by striking out the seventh section;

Which was lost.

Mr. Cleveland offered the following amendment:

Amend section seventh, fourth and fifth lines: strike out "performing road service and," so as to make it read "exempted from the payment of poll taxes," and after serving in a volunteer company for seven years be exempted from ordinary militia service;

Which was adopted.

Mr. Hamer offered the following amendment:

Amend the first section by inserting after each regiment the following: "And one battalion muster of each battalion to be held as now required by law;

Which was lost.

Mr. Wooldridge offered the following amendment:

Amend third section second line: strike out Thursday and insert Friday;

Which was adopted.

Mr. Noble offered the following amendment by way of additional section:

Be it further enacted That the Bragadier General be required to attend and review each regiment within the limits of his brigade once in each year;

Which was adopted.

Mr. Harrington offered an amendment by way of an additional section;

Which was lost.

Mr. Wooldridge offered an amendment by way of additional section.

Mr. Hinds moved to lay the bill and amendments on the table for the balance of the session;

Which was lost.

The question was then taken on the adoption of the amendment offered by Mr. Wooldridge,

And decided in the affirmative.

Mr. Metcalf offered the following amendment:

Amend by adding that each volunteer shall, on his enrollment, receive a bounty of fifty dollars, and shall receive the like sum annually thereafter, so long as he remains a member of said company; which,

On motion of Mr. Dilworth,
Was laid on the table.

On motion of Mr. Dilworth,

The bill as amended, was considered as engrossed,

The bill read the third time,

And passed with its title as stated.

On motion of Mr. Whitmore,

The bill to be entitled,

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State, was called from the table,

And read the second time by its title.

Mr. Metcalf moved to lay the bill on the table for the balance of the session;

Which was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Brooke, Brumfield, Bynum, Carroll, Catchings, Dampier, Ellis, Garrett, Henry, Hill, Holden, Johnston, Mason, McInnis, McLaurin, Metcalf, Myers, Nailor, Neely, Noble, Powell, Simrall, Slade, Smith, Stanton, Stewart, Thames, Thomas of Yazoo, Toulme, Valentine, Weathersby, West of Wayne, White, Wilds and Yerger—35.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Cleveland, Collier, Connell, Cushman, Cypert, Davis, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Gatlin, Godfrey, Hall, Hamer, Harrington, Hinds, Hogue, Huie, Liddell, Lynch, McAfee, McWilliams, Melton, Moore, Neill, Phillips, Ray, Sanders, Steele, Steger, Suratt, Thomas of Marshall, Torrey, Trigg, Walker, West of Holmes, Whitfield Whitmore, Wilson and Wooldridge—54.

On motion of Mr. Whitmore,

The bill was made the special order for a third reading at 11 o'clock, on Monday next.

On motion of Mr. Yerger,

The bill to be entitled,

An act to regulate the admission of physicians and surgeons to the practice of medicine and surgery in the state of Mississippi, was called from the orders of the day,

And read the third time.

Mr. Dilworth offered an amendment by way of rider, to-wit:

Be it further enacted, That apothecaries shall be examined in chemistry and pharmacy, be licensed in the same manner as phy-

sicians and surgeons before they shall be permitted to vend their drugs and medicines within this State;

Which was read the first time.

Mr. Metcalf moved to reject the ryder;

Which was lost.

A suspension of the rule was asked to the end that the ryder might be read the second time;

Which was refused.

The question was then taken on the passage of the bill and decided in the negative, by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Alderson, Brooke, Campbell of Franklin, Catchings, Echols, Foote of Noxubee, Foote of Tippah, Ford, Fortson, Garrett, Godfrey, Hall, Henry, Houston, Huie, Johnston, Liddell, Mason, McAfee, McInnis, McLaurin, Moore, Myers, Nailor, Noble, Phillips, Powell, Sanders, Simrall, Slade, Thomas of Yazoo, Torrey, Trigg, Weathersby, White, Whitmore, Wilds and Yerger—39.

NAYS—Messrs. Abbott, Arnold, Bardin, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of De Soto, Carroll, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Dilworth, Duke, Ellis, Gatlin, Hamer, Harrington, Hill, Hinds, Hogue, Holden, Lynch, McWilliams, Melton, Metcalf, Neely, Neill, Ray, Smith, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Toulme, Valentine, Walker, West of Wayne, Whitfield and Wilson—48.

Mr. Whitfield moved that the bill entitled,

An act to aid in the establishment of an institution for the instruction of the blind, be called from the orders of the day;

Which was lost.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to reduce the corporate limits of the town of Holly Springs;

An act to incorporate the Washington Fire Engine Company, No. 4, of Vicksburg;

An act to change the name of Martha A. Knowland;

An act to provide for the election of the Clerk of the Superior Court of Chancery;

An act to repeal an act entitled an act to incorporate the town of Greensboro and repeal all other acts incorporating the same, approved 18th February, 1846;

An act to amend an act entitled an act to authorise the mayor and aldermen of the city of Jackson to erect a bridge across Pearl River;

An act for the relief of Thomas Blewett Godbold;

A preamble and resolution instructing our senators and requesting our representatives in Congress, to urge upon Congress the passage of a law authorising the appropriation of the two per cent. fund to the rail road east;

A resolution granting leave of absence from this State, to Hon. A. B. Dawson;

The joint standing committee on enrolled bills have this day examined bills of the following titles, viz:

An act to declare Roebuck Lake a navigable stream;

An act to revive an act entitled an act to incorporate the town of Macon, in the county of Noxubee, approved February 22d, 1842;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act for preserving and repairing levees in the county of Washington;

An act to incorporate the town of Oakland in Yalobusha county;

An act for the relief of Charles Clarke and others;

An act to amend an act entitled an act to incorporate the trustees of Louisville Academy and for other purposes, approved 9th May, 1837;

An act to repeal in part and to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January, 1841, approved February 6th, 1841;

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons within five miles of the University of Mississippi;

An act for the benefit of the tax collector of Washington county;

An act to repeal an act entitled an act to authorise the Board of Police to locate the seat of justice in Bolivar county, approved Feb. 28th, 1846, and for other purposes;

An act for the punishment of disturbers of public worship;

An act to remove the civil disabilities of Felix J. Funchess, a minor of Hinds county;

An act for the relief of Thomas Pleasants;

An act to reduce the salary of the tax assessor in the county of Jackson;

An act in relation to the school fund of township twelve, range two east, in Yazoo county;

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th February, 1846;

An act to repeal an act entitled an act to prohibit the Police Court of Sunflower county from levying a special tax except in certain cases therein provided;

An act for the relief of Tillatoba Slack-water Navigation Company;

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

An act to incorporate the Raymond Female Institute;

An act authorising Robert Robson and Edwin E. Armstrong of Tallahatchie county, to construct a turnpike road in said county;

An act to exempt from sale under execution the libraries of ministers of the Gospel, and for other purposes;

An act to incorporate the Hernando and Mississippi Rail Road Company;

An act to incorporate the town of Charleston in the county of Tallahatchie;

An act to define the duties of the Board of county Police of Tiptah county, and for other purposes;

An act for the relief of the widow and heirs of James M. Matlock, of De Soto county;

An act for the relief of John Deer, jr., surviving executor of B. Haley, deceased;

An act to attach the counties of Claiborne and Simpson to the southern district Chancery Court of the State of Mississippi;

An act for the relief of the sheriff or tax collector of Monroe county;

An act to confer on John W. Snodgrass, a minor, certain privileges;

An act for the relief of James W. Wynn, sheriff and tax collector of Lowndes county;

An act to legalise the sale of the sixteenth section in township six, range sixteen east, in the county of Lauderdale;

An act for the benefit of the Aberdeen Female Academy;

A message from the Senate, through their messenger, Mr. Weller:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have given leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to make an appropriation in aid of the erection of a monument to the memory of the Mississippi volunteers who fell in the war with Mexico;

A bill to be entitled,

An act to provide compensation for persons employed in the registration of the 500,000 acres of land.

The Senate have passed House bills of the following titles:

A bill to be entitled,

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

A bill to be entitled,

An act to extend the time of holding the Probate Court of the county of Attala, and have made an amendment thereto;

In which I am desired to ask the concurrence of the House.

A bill to be entitled,

An act to provide further time for holding the Circuit Court of Noxubee county at the next June term of the same;

A bill to be entitled,

An act for the better regulation of the State library, and have made sundry amendments thereto;

In which I am desired to ask the concurrence of the House;

A bill to be entitled,

An act to authorise the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

A bill to be entitled,

An act to exempt the city of Natchez from the operations of the law now in force, relative to the inspection of flour and other provisions, and for other purposes.

The Senate have given leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to reduce the taxes of this State;

A bill to be entitled,

An act to authorize certain alterations in the offices of Auditor and Treasurer;

A bill to be entitled,

An act to authorize the Governor of this State to purchase certain maps therein named;

A bill to be entitled,

An act to authorize the mayors and aldermen of the various incorporations in this State to pass ordinances, preventing the keeping or establishing ten-pin allies in any block adjoining a public square in any town or village now incorporated;

And have passed Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to prevent accidents and injuries from the sale of secret medicines;

A bill to amend an act entitled an act to change the time of holding the probate court of Coahoma county, approved 22d January, 1848.

On motion of Mr. Dilworth,

The Senate bill entitled,

An act to prohibit the circulation of foreign bank notes in this State,

Was called from the table,

And read the second time.

Mr. Dilworth moved to lay the bill on the table for the balance of the session.

Mr. Whitfield made a preference motion to amend as follows:

Amend the 1st section, 12th line, by striking out the word "fifty" and insert the word "ten."

Amend 1st section by adding at the end thereof, "under the denomination of twenty dollars."

Amend 2d section, 12th line, by striking out the word "fifty" and inserting the word "ten."

Mr. Catchings moved to lay the bill and amendments on the table;

Which motion having preference, was taken,

And decided in the affirmative by ayes and noes as follows, to wit:

YEAS—Messrs. Alderson, Arnold, Bardin, Brooke, Brumfield, Campbell of Franklin, Carroll, Catchings, Cleveland, Collier, Cypert, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Ford, Foree, Fortson, Garrett, Gatlin, Godfrey, Hall, Hamer, Henry, Hill, Hinds, Hogue, Johnston, Mason, McInnis, McLaurin, Melton, Metcalf, Myers, Nailor, Neely, Noble, Phillips, Powell, Ray, Sanders, Simrall, Slade, Smith, Stanton, Steger, Thames, Thomas of Marshall, Weathersby, West of Wayne, White, and Yerger—54.

NAYS—Mr. Speaker, Messrs. Abbott, Bond, Brown, Bynum, Byrn, Campbell of De Soto, Connell, Cushman, Dampier, Davis, Foote of Noxubee, Harrington, Holden, Houston, Huie, Liddell, Lynch, McAfee, McWilliams, Moore, Neill, Steele, Suratt, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Whitfield, Whitmore, Wilds, Wilson and Wooldridge—35.

The Speaker presented to the House the following communication from the Auditor of Public accounts:

AUDITOR'S OFFICE, Jackson, Feb. 26, 1848.

Hon. John J. McRae,

Speaker of the House of Representatives:

Sir—In obedience to the resolution of the House of the 25th instant, in relation to the accounts of J. J. Henry, assessor and collector of taxes for Madison county, and J. H. Vannoy, his successor, "for the years 1838 and '39," I have the honor to submit the accompanying exhibits A and B, containing the same. It will be perceived that their settlements for those years extended as far as the year 1842. I have consequently exhibited full accounts of all debits and credits for the years 1838 and '39, to be found in settlement of subsequent years. This I deemed necessary, under the resolution, to the end that the committee on claims may be put in the possession of all the facts in any way connected with this case pending before the committee.

From statement B, it will be perceived that although allowances were made J. H. Vannoy, which balance his account within 46 cents, yet one allowance of \$287 28 has been carried to his credit on the creditors' ledger. He is therefore really indebted to the State that amount, after deducting 46 cents apparently due him.

Respectfully submitted,

GEO. T. SWANN,
Auditor of Public Accounts.

The unfinished business was then taken up, to-wit, the revenue bill.

Mr. Simrall offered the following amendment:

Amend by striking out all after the 5th section of the bill.

The question was taken on the adoption of said amendment,

And decided in the negative by ayes and noes as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Bond, Brooke, Bynum, Carroll, Catchings, Cleveland, Collier, Connell, Dampier, Davis, Ellis, Ford, Foree, Garrett, Godfrey, Hall, Hill, Hinds, Huie, Johnston, Lynch, Mason, McInnis, McLaurin, Myers, Nailor, Neely, Neill, Noble, Powell, Sanders, Simrall, Slade, Smith, Thomas of Yazoo, Torrey, Toulme, Valentine, Walker, West of Wayne, West of Holmes, Whitfield, and Yerger—44.

NAYS—Messrs. Abbott, Alderson, Arnold, Brown, Brumfield, Byrn, Campbell of De Soto, Campbell of Franklin, Cushman, Cypert, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Fortson, Gatlin, Hamer, Harrington, Henry, Hogue, Holden, Liddell, McAfee, McWilliams, Melton, Metcalf, Moore, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Trigg, Weathersby, White, Whitmore, Wilds Wilson and Wooldridge—44.

Mr. West of Holmes moved that the bill be indefinitely postponed;

Which was decided in the negative by ayes and noes as follows, to-wit:

YEAS—Messrs. Brooke, Bynum, Carroll, Catchings, Collier, Cypert, Dampier, Ford, Foree, Garrett, Godfrey, Hill, Hinds, Huie, Johnston, Lynch, Mason, McInnis, McLaurin, McWilliams, Myers, Nailor, Neely, Noble, Powell, Sanders, Simrall, Slade, Smith, Stanton, Thames, Thomas of Yazoo, Toulme, Trigg, Valentine, Walker, West of Wayne, West of Holmes, White and Wooldridge—39.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin, Bond, Brown, Brumfield, Byrn, Campbell of Desoto, Campbell of Franklin, Cleveland, Connell, Cushman, Davis, Dilworth, Duke, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Fortson, Gatlin, Hall, Hamer, Harrington, Henry, Hogue, Holden, Houston, Liddell, McAfee, Melton, Metcalf, Moore, Neill, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Torrey, Weathersby, Whitfield, Whitmore, Wilson, and Yerger—49.

Mr. Dilworth offered the following amendment:

Strike out in 1st section, 3d line, "one fourth," and insert "one fifth."

Mr. West of Holmes offered the following amendment to the amendment:

Amend by adding "reduce the tax on negroes from 60 cents to 50 cents."

Mr. Stanton moved to lay the amendments on the table.

A division of the question being called for;

The question was first taken on laying the amendment to the amendment on the table,

And decided in the affirmative.

The question was then taken on laying the amendment offered by Mr. Dilworth on the table,

And decided in the affirmative by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Cleveland, Connell, Cushman, Dampier, Davis, Echols, Foote of Tippah, Ford, Foree, Garrett, Harrington, Henry, Hill, Hinds, Huie, Johnston, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Metcalf, Myers, Nailor, Neely, Noble, Phillips, Powell, Sanders, Simrall, Slade, Smith, Stanton, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, West of Wayne, White, Wilds, Wilson and Yerger—62.

NAYS—Messrs. Arnold, Bardin, Bond, Dilworth, Duke, Ellis, Foote of Noxubee, Fortson, Gatlin, Godfrey, Hamer, Hogue, Holden, Liddell, Melton, Moore, Neill, Ray, Steele, Suratt, West of Holmes, Whitfield and Whitmore—23.

Mr. Metcalf offered the following amendment:

Amend by reducing the tax on saddle horses to fifty cents.

On motion of Mr. Dilworth,

The amendment was laid on the table.

Mr. Hamer offered the following amendment:

Amend the 26th line of the 1st section so as to read as follows:

"Sixty cents on each and every slave over five, and under 60 years of age."

Mr. Thames offered the following amendment to the amendment:

Amend the amendment so as to increase the taxes on slaves over five and under 60 years of age, to eighty cents.

Mr. Hinds moved to lay the amendments on the table.

A division being called for,

The question was taken on laying the amendment to the amendment on the table,

And decided in the affirmative.

The question was then taken on laying the amendment offered by Mr. Hamer, on the table,

And decided in the affirmative.

Mr. Smith of Bolivar moved to recommit the bill to the committee on ways and means with instructions to report such alterations in the present revenue laws in relation to the rate and amount of taxation on the different items, as in their judgment may be expedient without changing the present mode of assessing; which,

On motion of Mr. Dilworth,

Was laid on the table.

On motion of Mr. Garrett,

The House took a recess until half past 3 o'clock, P. M.

HALF PAST THREE O'CLOCK, P. M.

The recess having expired,

The House met and resumed the consideration of the revenue bill.

Mr. Stanton offered the following amendment to the 1st section:

Amend by inserting after the word "advanced," in the 9th line, on all goods, wares and merchandize kept for sale by any regular merchant, and not previously assessed.

The question was taken on the adoption of the amendment,

And decided in the negative by yeas and nays as follows:

YEAS—Messrs. Arnold, Campbell of Franklin, Catchings, Dilworth, Echols, Foote of Noxubee, Godfrey, Hamer, Hogue, Lynch, Mason, McAfee, Powell, Smith, Stanton, Steele, Suratt, West of Holmes, and White—18.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Bond, Brown, Bynum, Byrn, Carroll, Cleveland, Collier, Connell, Cushman, Cypert, Dampier, Davis, Duke, Ellis, Foote of Tippah, Fortson, Garrett, Harrington, Hill, Hinds, Holden, Houston, Huie, Johnston, Liddell, McInnis, McLaurin, McWilliams, Melton, Metcalf,

Moore, Myers, Neely, Neill, Noble, Phillips, Ray, Sanders, Simrall, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Walker, Weathersby, West of Wayne, Whitfield, Whitmore, Wilson, and Yerger—58.

Mr. Bond offered the following amendment:

Amend by striking out in the first section.

Strike out all in the 22d line after the word "cattle," to the letter A in the same line, being the last word in the 22d line.

Mr. Dilworth moved to lay the amendment on the table;

Which was lost.

The question was then taken on the adoption of the amendment, And decided in the negative.

Mr. Whitfield offered the following amendment:

Amend 3d section, 5th line, after the word "slave," by adding the following words, "to be paid by said clerk to the sheriff of the county for the benefit of the State, and shall take the sheriff's receipt and forward the same to the Auditor."

Amend same section, 6th line after the word "State," by adding, "and the said clerk shall be entitled to charge and receive for such license one dollar, to be paid by such slave merchant, trader, dealer, or broker, which license shall embrace all the slaves proposed to be sold belonging to one person;"

Which was adopted.

Mr. Henry offered the following amendment:

Amend by striking out the 4th section;

Which was adopted.

Mr. Yerger offered the following amendment:

Amend by striking out the 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 18th, 19th, 20th, 21st, 23d, 24th, 25th, 26th, 27th, 28th, sections;

Which was adopted by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Bond, Brooke, Brown, Brumfield, Bynum, Byrn, Campbell of Franklin, Carroll, Cleveland, Collier, Connell, Dampier, Davis, Ellis, Ford, Foree, Garrett, Godfrey, Harrington, Henry, Hill, Hinds, Holden, Huie, Johnston, Lynch, Mason, McAfee, McInnis, McLaurin, Myers, Nailor, Neely, Neill, Noble, Powell, Sanders, Simrall, Smith, Stanton, Thames, Thomas of Yazoo, Toulme, Trigg, Valentine, Walker, Weathersby, West of Wayne, West of Holmes, Whitfield, Whitmore and Yerger—53.

NAYS—Messrs. Abbott, Alderson, Arnold, Bardin Campbell of Desoto, Catchings, Cushman, Cypert, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Fortson, Gatlin, Hamer, Hogue, Houston, Liddell, McWilliams, Melton, Metcalf, Moore, Phillips, Ray, Steele, Steger, Stewart, Suratt, Thomas of Marshall, White, Wilds, and Wilson—33.

Mr. Dilworth offered the following amendment:

Strike out in section 17th, line 5th, the words "the improvements," and insert "only the buildings."

Mr. Smith moved that the bill with the amendment be laid on the table for the balance of the session.

Pending the motion,

On motion of Mr. Connell,

The House adjourned until to-morrow morning 10 o'clock.

MONDAY, FEBRUARY, 28, 1848.

The House met pursuant to adjournment.

Mr. Wilds by leave, introduced a bill to be entitled,

An act supplementary to an act entitled an act disposing of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States for purposes of internal improvement, passed during the present session of the Legislature;

Which was read the first time.

Mr. Metcalf moved the rejection of the bill;

Which was decided in the negative by yeas and nays as follows:

YEAS—Messrs. Alderson, Arnold, Bardin, Bond, Brumfield, Byrn, Catchings, Cypert, Dampier, Davis, Dilworth, Duke, Foote of Tippah, Ford, Fortson, Garrett, Gatlin, Hamer, Harrington, Hinds, Hogue, Houston, Huie, McWilliams, Melton, Metcalf, Neely, Phillips, Steele, Stewart, Suratt, Steger, Thomas of Marshall, Trigg, Walker, and Weathersby—36.

NAYS—Mr. Speaker, Messrs. Abbott, Brown, Bynum, Campbell of Desoto, Campbell of Franklin, Carroll, Cleveland, Collier, Connell, Cushman, Ellis, Foote of Noxubee, Foree, Hall, Hancock, Henry, Holden, Johnston, Liddell, McAfee, McInnis, McLaurin, Moore, Myers, Neill, Noble, Powell, Ray, Sanders, Simrall, Slade, Smith, Stanton, Thames, Thomas of Yazoo, Torrey, Toul-

me, Valentine, Wall, Weir, West of Wayne, West of Holmes, White, Whitfield, Whitmore, Wilds, Wilson and Yerger—49

Mr. Wilds moved that the rule be suspended,
That the bill might be read the second time,
Which was lost.

Mr. Alderson, from the joint standing committee, on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, to-wit:

An act to authorize Ezekiah McNabb to build a mill and mill dam;

An act to exempt the city of Natchez from the operations of the law now in force relative to the inspection of flour and other provisions, and for other purposes;

An act to incorporate the town of Snowsville in Choctaw county;

An act to authorize the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

An act to provide further time for holding the circuit court of Noxubee county at the next June term of the same;

An act supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge across the Noxubee river, &c.;

An act for the relief of certain citizens of the county of Jones;

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

And have found the same correctly enrolled.

Mr. Whitfield from the joint standing committee on accounts, made the following report:

MR. PRESIDENT—The joint standing committee on accounts having made as thorough an examination of the books and vouchers of the various departments of the State, which were submitted to them, as time and circumstances would allow, beg leave to report, that the vouchers in Auditor Matthews' office were found substantially to agree with the corresponding entries in his books; various errors of inconsiderable amounts were discovered, which were easily rectified. Other mistakes involving considerable amounts will be hereinafter stated, to-wit: Some inaccuracies have been discovered in the books, by sundry credits to the sinking fund which should have been placed to the credit of the Semi-

nary Fund, and vice versa, all of which have been corrected. In the disbursement book, an entry to Price & Fall, for printing, was found a mistake of \$2000, the register and journal being correct. Also an entry on the register to the Seminary Fund, \$5000 instead of \$15,000, was discovered, making a difference of \$10,000, which on the journal and disbursement books, were found to be correct. On the 1st September, 1847, the penitentiary was debited with \$1,223 37 instead of \$1,623 37, and the treasury credited with said amount of \$1,223 37 when it should have been \$1,623 37. An error was found to exist in Auditor Matthews' books, both as to the receipts and expenditures for the year 1847, as follows: His report exhibits the expenditures or issues of warrants on the treasury, from the 1st day of January 1847, to the 23d of November following to be \$141,326 33, while the ledger shows it to have been only \$140,984 94, difference of \$341 39. By the same report the total receipts into the treasury from all sources during the same time, is set down at \$486,970 06, while the ledger exhibits the amount to be \$487,918 45—difference between report and ledger \$948 39. On examination, it was found that \$150 had been paid for three months extra clerk hire in the Auditor's office, in each of the years 1846 and 1847, which, on inquiry, was assumed to be in accordance with an act passed in 1844, authorising the Auditor and Treasurer to employ a clerk for three months in each and every year, until there shall be money in the treasury to meet the current demands of the State government. On examination of the books of the Treasurer it is ascertained that there was money in the treasury during the years 1846 and 1847, consequently your committee cannot place the construction on the above recited act, that has been done by the Auditor, and consider the employment of said clerk, in contravention of law, to the amount of \$300. I am instructed to state that your committee did not find the condition of the books, and general arrangement of the papers in the Auditor's office to exhibit that strict accuracy and neatness which is at all times desirable; but candor compels us to remark that much of the responsibility rests upon former legislation. The duties of that officer are both arduous and complicated, his assistance insufficient, and as was fully shown by the report of the committee on accounts at the last session of the Legislature, the business of the office is much confused

and retarded, for the want of a *counter*, which would greatly facilitate settlements, and protect books and papers from disturbance by the continual throng of persons who have business there; and therefore we beg leave again to solicit your prompt action on the subject.

Much difficulty is found to exist in understanding the precise state of the three per cent fund. By reference to the old books of Auditors Saunders and Mallory, the total amount standing to the credit of that fund is \$408,928 34, while the debits seem to be \$301,690 36, leaving a balance of \$107 237 98 to the credit of said fund. What disposition has been made of that balance we had no means of determining, as on examination, but very few reports or returns from the various counties could be found. It has been intimated that said balance might have been deposited in the Planters' Bank, and if so, now stands to the credit of the three per cent fund on the books of that bank, but which fact can never be ascertained without an examination of said books. In a former report made by a portion of your present committee, it was recommended that a law should be enacted requiring the Auditor to procure and keep a book in which he shall enter the name of each county and individual having dealings with said office, with the usual debit and credits on corresponding opposite pages, thereby greatly simplifying, and showing at a glance the precise state of each account. It will be seen that the late executive has made the same recommendation in his message, and it is again presented to your favorable consideration, believing as your committee does, that it is bad economy to continue the present state of things, for the want of the amount necessary to make those changes which are deemed salutary, by throwing the proper guards around your treasury. The Auditor's books show the amount to the credit of the Seminary Fund on the 1st day of January 1848, to be \$46,531 41; and the amount to the Sinking Fund on the 1st day of January last to be \$111,838 94.

The books of Auditor Swann were examined up to the 1st day of January, and are found to be correct.

The books and vouchers in Treasurer Clark's office are found to be correct, with the exception, that in one instance a small amount was placed to the credit of the Sinking Fund, which belonged to the Seminary Fund, and \$1004 which was placed both

to the debit and credit of the Planters' Bank Bond fund, when it should have been to the Sinking Fund. Your committee beg leave to reiterate the remarks in regard to the amount of \$300 paid for clerk's hire during the years 1846 and 1847, in the Treasurer's office, which were set forth above, in reference to the Auditor's office.

The mode of placing the debits and credits on different pages, and balancing the books once a month as is the case in the Treasurer's office are salutary improvements.

Your committee conceive the same necessities for the erection of a counter across the Treasurer's office exist that have been presented in reference to the Auditor's.

The amount found to be in the treasury on account of the 2 and 3 per cent fund is \$213,020 77.

Cash in the treasury on the 7th day of February instant was found to be \$87,587 65.

The following funds still remain in the treasury as unavailable:
Certificate of stock in Mississippi R R Company, \$2,000,000 00
Attorney General Collins' receipt for certificate of

deposit in the Brandon Bank, ...	229,584 00
Attorney General Collins' receipt for notes of Madison county Bank, ...	470 00
Attorney General Collins' receipt for notes of Benton and Manchester Bank, ...	170 00
Attorney General Collins' receipt for notes of Lake Washington and Deer Creek Bank, ...	250 00
Attorney General Collins' receipt for notes of Grenada Bank, ...	7,628 00
Natchez R R Bank paper, ...	62,970 00
Mississippi Union Bank paper, ...	100 00
Hernando Bank paper, ...	20 00
Real Estate Bank of Columbus, ...	5 00
Mississippi and Alabama Bank, ...	50 00
R. L. Dixon and W. H. Young's note of hand due the 21st day of November, 1841, for	\$568 33
Credit on same 30th August, 1842, ...	70 50
	497 83

Old State Warrants claimed by T. P. Ware for one

Hammond, ... 1,503 30

Total, ... \$2,303,248 13

The books of the Treasurer show that the outstanding Auditor's warrants, bearing an interest of 5 per cent per annum, are as follows, to-wit:

Amount due and to fall due during the year	1848	\$39,389 54
" " " "	1849	5,416 51
" " " "	1850	3,894 03
" " " "	1851	413 00
" " " "	1852	158 00

Total, \$43,125 61

It has been found that generally the interest is paid on the "Scrip Certificates" annually, and the presumption is that there is not more than one years interest on any part of said amount, and it appears from the books that no warrants have been funded since the 28th February, 1846.

The books and vouchers of Treasurer Griffith have also been examined and are found to be correct.

Your committee likewise made a partial examination of the executive contingent fund, which, so far as the vouchers were found, corresponded with the entries in said books except in two or three instances of very small amounts, but not being able to find all the vouchers, as thorough and satisfactory an examination as is desirable, could not be made, there being no one known to the committee from whom to obtain information.

All of which is respectfully submitted.

Which was received and agreed to.

On motion of Mr. Houston,

The report was laid on the table, and 1000 copies ordered to be printed.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled,

An act to amend the several acts in relation to tippling and retailing, reported the same back to the House without amendment and recommended its passage;

Which was received and agreed to,

The bill read the third time,
And passed with its title as stated.

Mr. Cushman from the same committee, to whom was referred several bills amendatory of the attachment laws of this State, reported the same back to the House with a bill to be entitled,

An act to amend the several laws of this State in relation to attachments, as a substitute, and recommended its passage;

Which was received and agreed to.

Mr. Hinds offered an amendment by way of additional section;
Which was adopted;

And the bill as amended, read the third time,
And passed with its title as stated.

Mr. Cushman by leave, called from the orders of the day, a bill to be entitled,

An act to amend an act entitled an act directing the method of proceeding in courts of equity against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors passed June 7, 1822.

Mr. Alderson offered an amendment by way of additional section;

Which was adopted;

And the bill as amended read the third time,
And passed with its title as stated.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have given leave to the introduction of a bill of the following title, to-wit:

A bill to be entitled,

An act in relation to the Commercial and Rail Road Bank of Vicksburg;

And have passed Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the boards of police, probate judges and probate clerks of certain counties therein named, approved February 23, 1846;

A bill to be entitled,

An act permanently to establish the seat of justice of Tunica county;

A bill to be entitled,

An act for the relief of Mary Mattauer, a woman of color, the wife of Henry Mattauer;

A bill to be entitled,

An act in relation to taxes of lands in this State;

A bill to be entitled,

An act to authorize Hugh R. Miller of Pontotoc county to remove to Hardeman county certain property of his wards, Mary V., Phillip D., Beverly M., and John B. Lacy;

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank.

The President of the Senate has signed bills originating in the House of Representatives:

An act to revive an act entitled an act to incorporate the town of Macon in the county of Noxubee, approved February 22d, A. D. 1842;

An act to declare Roebuck Lake a navigable stream;

An act to incorporate the town of Oakland, in Yalobusha county;

An act to repeal, in part, an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first of January, 1841, approved February 6, 1841;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act to prohibit the sale of vinous and spirituous liquors, in less quantities than five gallons, within five miles of the University of Mississippi;

An act to amend an act entitled an act to incorporate the trustees of the Louisville academy, and for other purposes, approved 9th May, 1837;

An act for the relief of Charles Clark and others;

An act for the punishment of disturbers of public worship;

An act for the relief of Thomas Pleasants.

An act for preserving and repairing levees in the county of Washington;

An act to remove the civil disabilities of Felix J. Funchess, a minor of Hinds county;

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th, February, 1846;

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

An act for the benefit of the tax collector of Washington county;

An act to repeal an act entitled an act to authorize the board of police to locate the seat of justice in Bolivar county, approved 28th, February, 1846, and for other purposes;

An act to reduce the salary of the tax assessor in the county of Jackson;

An act for the relief of Tillatoba Slack-water Navigation Company;

An act to repeal an act entitled an act to prohibit the Police Court of Sunflower county from levying a special tax except in certain cases therein provided;

An act in relation to the school fund of township twelve, range two east, in Yazoo county;

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled,

An act to authorize the State Commissioner, or any other person having charge of the sinking, seminary or town lot funds of the State, to compromise with debtors to said funds, reported the same back to the House with sundry amendments thereto, and recommended its passage as amended;

Which was received and agreed to.

Mr. Neill offered the following amendment:

"Provided said allowances by the Governor and Attorney General shall not exceed fifteen hundred dollars per annum;"

Which was adopted.

On motion of Mr. Simrall,

The vote taken on the amendment offered by Mr. Neill, was reconsidered.

Mr. Simrall offered the following amendment to the amendment:

"Not exceeding 15 per cent upon the amounts actually collected by suit, compromise or otherwise;"

Which was adopted.

The question was taken on the adoption of the amendment as amended,

And decided in the affirmative.

On motion of Mr. Cushman,

The amendments were considered as engrossed,

And the bill read the third time,

And passed with its title as stated.

Mr. Cushman presented the claim of N. G. North, against the State of Mississippi;

Which was referred to the committee on claims.

Mr. Moore by leave. introduced a bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools and for other purposes, approved 4th March, 1846;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time.

Mr Moore offered the following amendment:

Be it further enacted, That the school commissioners of the county of Tunica, be allowed to locate one or more schools in said county at their discretion, and the means raised for common schools in said county be applied to the number of schools so located;

Which was adopted.

Mr. Whitfield offered the following amendment:

Be it further enacted, That the act to which this is an amendment, is hereby repealed, so far as the same operates in the county of Lowndes.

Mr. Huie offered an amendment to the amendment, to wit:

Amend, by adding, the counties of Choctaw, Holmes, Carroll, Yalobusha, Chickasaw and Oktibbeha.

Before the question was taken on the amendment to the amendment, offered by Mr. Whitfield,

On motion of Mr. Connell,

The whole matter was referred to a select committee of three.

The Chair appointed as said committee, Messrs. Foote of Noxubee, Whitfield and Huie.

Mr. Cleveland, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature bills of the following titles, to-wit:

An act to define the duties of the board of county police, Tippoah county, and for other purposes;

An act for the relief of the widow and heirs of James M. Matlock of Desoto county;

An act to authorize Robert Robson and Edwin E. Armstrong, of Tallahatchie county to construct a turnpike road in said county;

An act for the relief of the sheriff or tax collector of Monroe county;

An act to attach the counties of Claiborne and Simpson to the southern district Chancery court of the State of Mississippi;

An act for the relief of James M. Wynn, sheriff and tax collector of Lowndes county;

An act to incorporate the Hernando and Mississippi rail road company;

An act to incorporate the Raymond Female Institute;

An act for the relief John Deer, Senr., surviving executor of Burrus Haley, deceased;

An act for the benefit of the Aberdeen Female Academy;

An act to incorporate the town of Charleston, in the county of Tallahatchie;

An act to confer on John W. Snodgrass, a minor, certain privileges;

An act to legalize the sale of the 16th section, in township 6, range 16 east, in the county of Lauderdale.

Mr. Hancock, from the committee of ways and means, to whom was referred a bill to be entitled an act for the relief of the sheriffs of the counties of Washington, Issaquena, and Sunflower, reported the same back to the House without amendment, and recommended its passage.

Mr. Hancock moved that the report be received and agreed to.

A division being called for, the question was first taken on receiving and decided in the affirmative.

It was then taken on agreeing, and lost.

The unfinished business was then taken up, to wit:

The revenue bill;

And the question recurred on the motion of Mr. Smith, pending the adjournment on Saturday, to lay the bill and amendments on the table for the balance of the session.

Mr. Hinds moved to lay the whole subject on the table; which

motion having preference was taken and decided in the negative.

Mr. Hamer moved to recommit the bill with the amendments to the committee of ways and means, with instructions to reduce the taxes arising under the present revenue laws, 25 per cent, and report the same back as soon as practicable.

Mr. Metcalf moved to amend the motion by instructing the committee to reduce the present taxation to any amount not exceeding fifty per cent.

Mr. Foree moved that the motion and amendment be laid on the table;

Which was decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown, Brumfield, Bynum, Byrn, Carroll, Catchings, Collier, Connell, Cushman, Cypert, Dampier, Foote of Noxubee, Ford, Foree, Garrett, Hall, Hancock, Harrington, Hinds, Huie, Johnston, Mason, McAfee, McLaurin, McWilliams, Moore, Myers, Neely, Phillips, Powell, Simrall, Slade, Smith, Steger, Thomas of Marshall, Toulme, White, Whitfield, Wilson, Wooldridge and Yerger—45.

NAYS—Messrs. Arnold, Bardin, Bond, Campbell of De Soto, Campbell of Franklin, Cleveland, Davis, Dilworth, Duke, Ellis, Foote of Tippah, Fortson, Gatlin, Hamer, Henry, Hill, Hogue, Holden, Houston, Liddell, McInnis, Melton, Metcalf, Neill, Noble, Sanders, Steele, Stewart, Suratt, Thames, Thomas of Yazoo, Torrey, Trigg, Valentine, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, Whitmore, and Wilds—42.

Mr. Simrall offered the following amendment:

Strike out the second section of the bill.

Mr. Dilworth moved to lay the amendment on the table;

Which was decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Arnold, Alderson, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Carroll, Cypert, Dampier, Davis, Dilworth, Echols, Foote of Noxubee, Ford, Fortson, Godfrey, Hamer, Hancock, Henry, Hinds, Hogue, Houston, Liddell, McAfee, McLaurin, McWilliams, Metcalf, Neely, Neill, Phillips, Ray, Slade, Steele, Steger, Suratt, Thames, Thomas of Marshall, Walker, Wall, Weir, West of Wayne, Whitfield, Whitmore, Wilds, Wilson and Yerger—50.

NAYS—Messrs. Bardin, Brooke, Campbell of Franklin, Cleveland, Collier, Cushman, Duke, Foote of Tippah, Foree, Gatlin, Garrett, Hall, Harrington, Hill, Holden, Huie, Johnston, Lynch, Mason, McInnis, Melton, Moore, Myers, Noble, Powell, Sanders, Simrall, Smith, Stanton, Stewart, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Weathersby, West of Holmes, White, Wooldridge—39.

Mr. Metcalf moved to lay the bill and amendments on the table until Wednesday next, 12 o'clock;

Which was lost.

On motion of Mr. Thomas of Marshall,

The bill, with the amendments, were ordered to be engrossed for a third reading, at 3 o'clock, P. M.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act to incorporate the town of Oakland in Yalobusha county;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons, within five miles of the University of Mississippi;

An act to amend an act entitled an act to incorporate the trustees of Louisville academy, and for other purposes, approved 9th May, 1837;

An act for the relief of Charles Clark and others;

An act for the punishment of disturbers of public worship;

An act for the relief of Thomas Pleasants;

An act for preserving and repairing levees in the county of Washington;

An act to remove the civil disabilities of Felix J. Funches, a minor of Hinds county;

An act granting John V. Newman, of Bolivar county, ferry privileges across the Mississippi river;

An act for the benefit of the tax collector of Washington county;

An act to reduce the salary of the tax assessors in the county of Jackson;

An act for the relief of the Tillatoba slack-water navigation company;

An act to declare Roebuck lake a navigable stream;

An act to repeal an act entitled an act to authorize the board of Police to locate the seat of justice in Bolivar county, approved February 28th, 1846, and for other purposes;

An act to repeal an act entitled an act to prohibit the police court of Sunflower county from levying a special tax, except in certain cases therein provided;

An act to revise and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 12th, Feb. 1846;

An act in relation to the school fund in township 12, range 2 east, in Yazoo county;

An act to revive an act entitled an act to incorporate the town of Macon, in the county of Noxubee, approved February 22d, A. D, 1842;

An act to repeal, in part, an act for funding the treasury warrants of the State of Mississippi, issued prior to the 1st day of January, 1841, approved February 6th, 1841.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have adopted the following joint resolution, to wit:

Resolved, by the Legislature of the State of Mississippi, That the Secretary of State of this State be, and he is hereby authorized to furnish to the Governor of the State of Texas two copies of Howard & Hutchinson's Digest of the laws of Mississippi;

In which I am instructed to desire the concurrence of the House of Representatives.

The special order was then taken up, to wit:

The Senate bill entitled an act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State;

Mr. Wall moved to suspend the consideration of the bill until 3 o'clock;

Which was lost.

Mr. Smith offered the following amendment:

Amend the first section second line by striking out after the word Monday, the following words: "and day following;" and after the word November, the figures "1849" and insert the figures "1848," so as to read as follows: on the first Monday in November, 1848; which,

On motion of Whitmore,
Was laid on the table.

Mr. Cushman offered the following amendment:

Section four line thirteen, after the word "election" on the first Monday and day after in March, 1850;

Which was adopted.

Mr. Wall offered the following amendment:

Amend fourth section by adding after the word representative, and each senatorial district shall be entitled to one representative.

Mr. Dilworth moved to lay the amendment on the table;

Which was decided in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Cleveland, Collier, Connell, Cushman, Dilworth, Duke, Echols, Foote of Noxubee, Foree, Fortson, Godfrey, Hamer, Hancock, Harrington, Hinds, Hogue, Houston, Huie, Liddell, McAfee, McWilliams, Melton, Neill, Noble, Phillips, Ray, Simrall, Slade, Steele, Steger, Suratt, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Walker, Weir, West of Wayne, West of Holmes, Whitfield, Whitmore, Wilson and Wooldridge—51.

NAYS—Mr. Speaker, Messrs. Bond, Brooke, Brumfield, Bynum, Carroll, Catchings, Dampier, Davis, Ellis, Foote of Tippah, Ford, Garrett, Gatlin, Henry, Hill, Holden, Johnston, Lynch, McInnis, McLaurin, Metcalf, Moore, Myers, Neely, Powell, Sanders, Smith, Stanton, Stewart, Thames, Toulme, Valentine, Wall, Weathersby, White, Wilds and Yerger—38.

Mr. Whitmore moved that the amendments be considered as engrossed,

And the bill as amended, read the third time;

Which was decided in the affirmative, by yeas and nays, as follows:

YEAS—Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Cleveland, Collier,

Connell, Cushman, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Gatlin, Godfrey, Hamer, Hancock, Harrington, Hinds, Hogue, Houston, Huie, Liddell, McWilliams, Melton, Moore, Neill, Phillips, Ray, Sanders, Steele, Steger, Suratt, Thomas of Marshall, Torrey, Trigg, Walker, Whitfield, Whitmore, Wilson and Wooldridge—48.

NAYS—Mr. Speaker, Messrs. Bond, Brooke, Brumfield, Bynum, Carroll, Catchings, Dampier, Davis, Ellis, Garrett, Henry, Hill, Holden, Johnston, Lynch, McInnis, McAfee, McLaurin, Metcalf, Myers, Neely, Noble, Powell, Simrall, Slade, Smith, Stanton, Stewart, Thames, Thomas of Yazoo, Toulme, Valentine, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Wilds and Yerger—41.

Mr. Simrall offered the following amendment by way of ryder:

Insert at the end of section second, "and that no person shall be eligible to a seat in said convention who has not attained the age and resided in the State and county the length of time now required by law to be eligible to a seat in the House of Representatives of the State legislature;

Which was read the first time.

Mr. Whitmore moved to lay the ryder on the table;

Which was decided in the negative, by yeas and nays, as follows:

YEAS—Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Collier, Connell, Cushman, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Fortson, Godfrey, Hamer, Hancock, Harrington, Hinds, Hogue, Huie, Liddell, McAfee, McWilliams, Melton, Moore, Neill, Phillips, Ray, Steger, Suratt, Thomas of Marshall, Torrey, Trigg, Whitfield, Whitmore, Wilson and Wooldridge—41.

NAYS—Mr. Speaker, Messrs. Bond, Brooke, Brumfield, Bynum, Carroll, Catchings, Cleveland, Dampier, Davis, Ellis, Ford, Foree, Garrett, Gatlin, Henry, Hill, Holden, Houston, Johnston, Lynch, McInnis, McLaurin, Metcalf, Myers, Neely, Noble, Powell, Sanders, Simrall, Slade, Smith, Stanton, Steele, Stewart, Thames, Thomas of Yazoo, Toulme, Valentine, Walker, Wall, Weathersby, Weir, West of Wayne, West of Holmes, White, Wilds and Yerger—48.

Mr. Simrall moved the suspension of the rule to the end that the ryder might be read the second time;

Which was lost.

The question was then taken on the passage of the bill, and decided in the affirmative, by yeas and nays, as follows:

YEAS—Messrs. Abbott, Alderson, Arnold, Bardin, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Cleveland, Cypert, Collier, Connell, Cushman, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Foree, Fortson, Gatlin, Godfrey, Hammer, Hancock, Harrington, Hinds, Hogue, Houston, Huie, Liddell, McAfee, McWilliams, Moore, Melton, Neill, Phillips, Ray, Sanders, Steele, Steger, Suratt, Thomas of Marshall, Torrey, Trigg, Walker, West of Holmes, Whitfield, Whitmore, Wilson and Wooldridge—50.

NAYS—Mr. Speaker, Messrs. Bond, Brooke, Brumfield, Bynum, Carroll, Catchings, Dampier, Davis, Ellis, Ford, Garrett, Henry, Hill, Holden, Johnston, Lynch, McInnis, McLaurin, Metcalf, Myers, Neely, Noble, Powell, Simrall, Slade, Smith, Stanton, Stewart, Thames, Thomas of Yazoo, Toulme, Valentine, Wall, Weathersby, Weir, West of Wayne, White, Wilds and Yerger—40.

On motion,

The House adjourned until 4 o'clock P. M.

FOUR O'CLOCK, P. M.

The House met pursuant to adjournment.

The special order entitled,

An act to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes;

Was read the third time and passed.

Mr. Whitfield offered the following amendment to the title:

Amend the title by striking out the words "to reduce into one;"

Which was adopted.

The unfinished business was then taken up, to-wit:

A bill to be entitled,

An act to provide for and establish common schools.

Mr. Whitfield moved to lay the bill on the table;

Which was decided in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Abbott, Arnold, Bardin, Campbell of Franklin, Catchings, Collier, Connell, Dilworth, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Fortson, Garrett, Godfrey,

Hall, Hamer, Harrington, Henry, Hogue, Houston, Johnston, Liddell, McAfee, McWilliams, Melton, Moore, Neely, Neill, Phillips, Powell, Ray, Simrall, Smith, Stanton, Steele, Steger, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, White, Whitfield, Whitmore and Wilson—47.

NAYS—Mr. Speaker, Messrs. Alderson, Bond, Brooke, Brown, Brumfield, Bynum, Byrn, Campbell of De Soto, Carroll, Cleveland, Cushman, Dampier, Davis, Ellis, Gatlin, Hinds, Huie, Lynch, McInnis, McLaurin, Metcalf, Myers, Noble, Sanders, Slade, Suratt, Thames, Toulme, Valentine, Walker, Weathersby, Weir, West of Wayne, West of Holmes, Wilds, Wooldridge and Yerger—38.

Mr. Foote of Noxubee, from a select committee, made the following report:

MR. SPEAKER—The select committee, to whom was referred a bill to be entitled an act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, with sundry amendments thereto, have instructed me to report, that it is their firm conviction, that the main features of the act of March the 4th, 1846, are clearly unconstitutional. That no legislative enactment is legal or constitutional, which has for its object the taking out of the hands and control of the trustees of townships, and the heads of families of townships, the funds arising from the sale of the 16th sections, to invest in any other person or persons than those elected by the heads of families in the respective townships. They therefore consider the act of the 4th of March, 1846, inoperative and void. The committee, also, regard said law as irregular, impracticable, and not susceptible of general operation, and consequently, of no public utility. Whilst some townships have come under the operations of its provisions, others have refused to do so; thus presenting in every county of the State the operation of two independent systems of education, and two separate funds, both arising from the 16th sections, used in different ways, and in direct conflict with each other. Such a state of things your committee believe to be unwise and of great public evil. They, therefore, beg leave to report the following bill and recommend its passage, to wit:

A bill to be entitled,

An act to repeal an act to establish a system of common schools and for other purposes, approved 4th March, 1846;

Which was read the first time.

On motion of Mr. Foote of Noxubee,
The rule was suspended,

And the bill read the second time.

Mr. Brooke moved to lay the bill on the table,

Which was decided in the negative by ayes and noes as follows:

YEAS—Mr. Speaker, Messrs. Bardin, Brooke, Brumfield, Bynum, Campbell of Desoto, Carroll, Davis, Duke, Echols, Ellis, Gatlin, Hinds, Lynch, McWilliams, Melton, Myers, Noble, Sanders, Toulme, Trigg, Walker, Weathersby, West of Wayne, and Whitmore—25.

NAYS—Messrs. Abbott, Arnold, Bond, Brown, Byrn, Campbell of Franklin, Catchings, Clayton, Cleveland, Collier, Connell, Cushman, Dampier, Dilworth, Foote of Noxubee, Foote of Tippah, Ford, Foree, Garrett, Godfrey, Hall, Hamer, Harrington, Henry, Hogue, Houston, Huie, Johnston, Liddell, McAfee, McInnis, McLaurin, Metcalf, Moore, Neely, Neill, Phillips, Ray, Simrall, Smith, Stanton, Steele, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Torrey, Wall, Weir, West of Holmes, White, Whitefield, Wilds, Wilson, Wooldridge, and Yerger—57.

On motion of Mr. Thomas of Marshall,

The bill was recommitted to the same committee.

On motion of Mr. Walker,

The committee was increased to the number of seven.

The Chair appointed, in addition to said committee, Messrs. Thomas of Marshall, Dilworth, Catchings and Ray.

Mr. Alderson from the joint standing committee, on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act for the relief of certain citizens of the county of Jones;

A bill supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge across the Noxubee river, &c.;

An act to provide further time for holding the circuit court of Noxubee county, at the next June term of the same;

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

An act to authorize Ezekiah McNabb to build a mill and mill dam;

An act to authorize the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

An act to exempt the city of Natchez from the operation of the law now in force relative to the inspection of flour and other provisions, and for other purposes;

An act to incorporate the town of Snowsville, in Choctaw county.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed the bills of the following titles, to wit:

The bill to be entitled,

An act to authorize the voters of Coahoma county to permanently locate their county seat;

A bill to be entitled,

An act to repeal the 4th section of an act entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

A bill to be entitled,

An act amendatory of the act to incorporate the town of Canton;

A bill to be entitled,

An act supplemental to an act entitled an act to provide for the sale of the 500,000 acres of land donated by Congress to this State for purposes of internal improvement;

And have adopted the following resolution, to wit:

Resolved, The House concurring, that the Secretary of State be authorized and required to draw from the State library a number of copies of Howard & Hutchinson's Digest, sufficient to furnish each officer of the State entitled by law to receive the same, where such officer has never received a copy: *Provided*, the number remaining in the library shall not be reduced below twenty-five;

In which, I am desired to ask the concurrence of the House of Representatives.

And have passed a House bill of the following title, to wit:

A bill to be entitled,

An act to incorporate the Columbus Female Institute in the town of Columbus, in the county of Lowndes, and have made sundry amendments thereto;

In which I am desired to ask the concurrence of the House of Representatives.

The President of the Senate has signed acts originating in the House of the following titles, to wit:

An act to incorporate the town of Snowsville, in Choctaw county;

An act to exempt the city of Natchez from the operations of the law now in force, relative to the inspection of flour and other provisions, and for other purposes;

An act to authorise the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

An act to authorize Ezekiah McNabb to build a mill and mill dam;

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

An act to provide further time for holding the Circuit Court of Noxubee county at the next June term of the same;

An act supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge across the Noxubee river &c.;

An act for the relief of certain citizen of the county of Jones.

The Senate have passed a bill to be entitled,

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive Department of this State, and for other purposes;

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Yerger,

The bill to be entitled,

An act to provide for the construction of a levee on the Mississippi, was called from the table;

The bill read the second time,

And made the special order of the day for the committee of the whole for 11 o'clock to morrow.

On motion of Mr. Dilworth,

The bill to be entitled,

An to provide for the improvement of the navigation of the rivers in the State of Mississippi was called from the table,

Read the second time,

And made the special order of the day for committee of the whole for 11 o'clock to morrow.

The special order, entitled,

An act declaring the Yalobusha river a navigable stream,

Was read the third time,

And passed with its title as stated.

The special order entitled,

An act to alter, abolish, and amend the constitution,

For committee of the whole, was taken up.

On motion of Mr. Whitfield,

The committee was discharged, and the bill laid on the table.

The special order entitled,

An act to regulate the Public Printing,

Was considered in committee of the whole,

Mr. Connell in the chair.

After sometime spent therein, the committee rose, reported progress, and asked leave to sit again at half past seven o'clock;

Which was received and agreed to.

On motion of Mr. Whitfield,

The House adjourned until half past 7 o'clock.

HALF-PAST SEVEN O'CLOCK P. M.

The House met pursuant to adjournment, and resumed in committee the consideration of the special order, entitled,

An act to regulate the Public Printing,

Mr. Liddell in the Chair.

After sometime spent therein, the committee rose, reported the bill back to the House with sundry amendments thereto, asked to be discharged from its further consideration, and recommended its passage;

Which was received and agreed to.

On motion of Mr. Simrall,

The bill and amendments were considered as engrossed,

Read the third time,

And passed with its title as stated.

On motion of Mr. Whitmore,
 The Senate bill entitled,
 An act to aid in the establishment of an institution for the instruction of the blind,

Was called from the orders of the day.

On motion of Mr. Wall,
 The House resolved itself into committee of the whole, forthwith, on said bill,

Mr. Liddell in the chair.

After sometime spent therein, the committee rose, reported the bill back to the House without amendment, recommended its passage, and asked to be discharged from its further consideration;

Which was received and agreed to;

The bill read the third time,

And passed with its title as stated.

Mr. Catchings moved to call up the Senate bill in relation to the lunatic assylum;

Which was lost.

The special order, to wit:

The Senate bill entitled, an act concerning the code of Mississippi.

Mr. Liddell offered an amendment by way of additional section;

Which was adopted.

Mr. Weir offered the following amendment:

In 2d section, 6th line, amend by striking out the word, president, and insert, each member of the board of police;

Which was adopted.

Mr. West of Holmes, offered an amendment by way of additional section;

Which was lost.

Mr. Neill offered the following amendment:

Strike out 2,000 wherever it occurs, and insert 1,500;

Which was adopted.

Mr. Collier offered an amendment by way of additional section;

Which was adopted.

Mr. Whitmore offered the following amendment:

Strike out the words in 3d section, and be taken as evidence of the laws of this State;

Which was adopted.

Mr. Duke moved that the amendments be considered as engrossed, to the end that the bill might be read the third time and put upon its passage;

Which was lost.

Mr. Wall moved that the vote taken on considering the amendment as engrossed, be reconsidered;

Which was decided in the affirmative.

The question was then taken on considering the amendment as engrossed, and decided in the affirmative.

The question was then taken on the passage of the bill,

And decided in the negative by ayes and noes as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Catchings, Cleveland, Ford, Harrington, Hogue, Huie, Holden, Johnston, Lynch, Mason, McAfee, Metcalf, Phillips, Powell, Steele, Steger, Suratt, Thames, Valentine, Wall, White, Whitfield, Wilds Wilson, and Yerger—32.

NAYS—Messrs. Arnold, Bardin, Bond, Brumfield, Carroll, Collier, Connell, Dampier, Dilworth, Duke, Echols, Ellis, Foree, Fortson, Godfrey, Garrett, Hall, Hamer, Henry, Houston, McInnis, McLaurin, Melton, Myers, Neely, Neill, Noble, Ray, Sanders, Simrall, Smith, Stewart, Weathersby, Weir, West of Wayne, Whitmore, and Wooldridge—36.

On motion of Mr. Whitfield,

The House adjourned until half-past nine o'clock, to morrow morning.

TUESDAY, FEBRUARY 29, 1848.

The House met pursuant to adjournment.

On motion of Mr. Hancock,

The reading of the journal was dispensed with.

Mr. Hancock moved that the vote taken on yesterday in relation to the code of Mississippi, be reconsidered;

Which was decided in the affirmative by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Frank-

lin, Carroll, Catchings, Cleveland, Cushman, Davis, Dilworth, Echols, Ellis, Foote of Noxubee, Foote of Tippah, Ford, Gatlin, Hall, Hamer, Hancock, Harrington, Henry, Hill, Hinds, Hogue, Huie, Johnston, Liddell, Mason, McWilliams, Metcalf, Phillips, Powell, Slade, Steele, Steger, Stewart, Suratt, Thomas of Marshall, Thomas of Yazoo, Torrey, Trigg, Valentine, Walker, Wall, Weir, West of Holmes, White, Whitfield, Wilds, Wilson and Yerger—57.

NAYS—Messrs. Arnold, Bardin Collier, Connell, Cypert, Dampier, Duke, Foree, Fortson, Godfrey, Houston, McInnis, McLaurin, Melton, Myers, Neely, Neill, Noble, Ray, Sanders, Smith, Weathersby, West of Wayne, Whitmore and Wooldridge—25.

Mr. Wall moved to reconsider the vote taken on yesterday on the amendment to strike out 2000 wherever it occurs, and insert 1500;

Which was decided in the affirmative by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Cleveland, Cushman, Dampier, Davis, Echols, Ellis, Foote of Tippah, Ford, Gatlin, Hancock, Harrington, Hill, Huie, Johnston, Liddell, Mason, McAfee, Metcalf, Phillips, Powell, Slade, Stanton, Steele, Steger, Suratt, Thomas of Yazoo, Torrey, Valentine, Walker, Wall, Weir, West of Holmes, White, Whitfield, Wilds, Wilson and Yerger—49

NAYS—Messrs. Arnold, Bardin, Bond, Collier, Connell, Cypert, Dilworth, Duke, Foote of Noxubee, Foree, Fortson, Godfrey, Hall, Hamer, Henry, Hinds, Hogue, Houston, McInnis, McLaurin, McWilliams, Melton, Myers, Neely, Neill, Noble, Ray, Sanders, Smith, Stewart, Weathersby West of Wayne, Whitmore, and Wooldridge—34.

Mr. Walker offered the following amendment by way of rider: Strike out "two thousand" and insert "twelve hundred;" which,

On motion of Mr. Cushman,

Was laid on the table.

Mr. Sanders moved to lay the bill and amendments on the table;

Which was decided in the negative by yeas and nays as follows:

YEAS—Messrs. Arnold, Bardin, Bond, Carroll, Connell, Collier, Cypert, Dampier, Dilworth, Duke, Ellis, Foote of Noxubee, Foree,

Fortson, Hall, Hamer, Hill, Houston, Liddell, McInnis, McLaurin, McWilliams, Melton, Myers, Neely, Neill, Noble, Sanders, Smith, Walker, Weathersby, West of Wayne; Whitmore and Wooldridge—34.

NAYS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Catchings, Cleveland, Cushman, Davis, Echols, Foote of Tippoah, Ford, Gatlin, Hancock, Harrington, Henry, Hill, Hinds, Hogue, Holden, Huie, Johnston, Lynch, Mason, Metcalf, Phillips, Powell, Slade, Steele, Steger, Stewart, Suratt, Thomas of Yazoo, Torrey, Valentine, Wall, Weir, West of Holmes, White, Whitfield, Wilds, Wilson and Yerger—48.

The question was then taken on the passage of the bill,
And decided in the affirmative by yeas and nays as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Brooke, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Catchings, Cleveland, Cushman, Davis, Echols, Foote of Tippoah, Ford, Gatlin, Hancock, Harrington, Henry, Hill, Hinds, Hogue, Holden, Huie, Johnston, Lynch, Mason, Metcalf, Phillips, Powell, Slade, Stanton, Steele, Steger, Stewart, Suratt, Thomas of Yazoo, Torrey, Valentine, Wall, Weir, West of Holmes, White, Whitfield, Wilds, Wilson, and Yerger—49.

NAYS—Messrs. Arnold, Bardin, Bond, Collier, Connell, Cypert, Dilworth, Duke, Ellis, Foote of Noxubee, Fortson, Garrett, Godfrey, Hall, Hamer, Houston, Liddell, McInnis, McLaurin, McWilliams, Melton, Myers, Neely, Neill, Noble, Sanders, Smith, Thomas of Marshall, Walker, Weathersby, West of Wayne, Whitmore, and Wooldridge—33.

Ordered, That the title stand as stated.

Mr. Foote of Noxubee moved to dispense with the orders of the day to enable him to introduce a bill for common school purposes;
Which was lost.

On motion of Mr. Hancock, the orders of the day was suspended to enable him to introduce the following resolution:

Resolved, That after Thursday evening next, this House will consider or act upon no business whatever, and that the remaining two days of this session thereafter, shall be applied to the receipt of messages from his Excellency, and in acting upon the same; which,

On motion of Mr. Metcalf, was laid on the table.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined, bills of the following titles, to wit:

An act to authorize Daniel B. Nailor, his heirs and assigns, to build a turnpike road across the Big Black swamp in the county of Warren and State of Mississippi, from the ferry known as Baldwin's ferry, to Regan's island;

An act requiring the treasurer of Pontotoc and Lafayette counties to loan the school fund of said counties;

And have found the same correctly enrolled.

The following message was received from his Excellency the Governor, by Mr. Jones his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to declare Roebuck Lake a navigable stream;

An act to remove the civil disabilities of Felix J. Funchess, a minor of Hinds county;

An act to repeal an act entitled an act to prohibit the Police Court of Sunflower county from levying a special tax except in special cases therein provided;

An act to reduce the salary of the tax assessor in the county of Jackson;

An act to repeal an act entitled an act to authorize the board of police to locate the seat of justice in Bolivar county, approved 28th, February, 1846, and for other purposes;

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

An act for the punishment of disturbers of public worship;

An act for the benefit of the tax collector of Washington county;

An act for the relief of Thomas Pleasants;

An act for preserving and repairing levees in the county of Washington;

An act to prohibit the sale of vinous and spirituous liquors, in less quantities than five gallons, within five miles of the University of Mississippi;

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th, Feb. 1846;

..An act for the relief of Charles Clark and others;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act to amend an act entitled an act to incorporate the trustees of the Louisville academy, and for other purposes, approved 9th May, 1837;

An act for the relief of Tillatoba Slack-water Navigation Company;

An act to revive an act entitled an act to incorporate the town of Macon in the county of Noxubee, approved February 22d, A. D. 1842;

An act in relation to the school fund of township twelve, range five east, in Yazoo county;

An act to incorporate the town of Oakland, in Yalobusha county; Approved February 28, 1848.

..The following messsage was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed bills of the following titles, to-wit:

A bill to be entitled,

An act concerning the Hernando female academy in Desoto county;

In which they desire the concurrence of the House of Representatives.

The special order entitled,

An act to provide for the improvement of the navigation of the rivers in the State of Mississippi, was considered in committee of the whole, Mr. Liddell in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House with sundry amendments thereto, and asked to be discharged from its further consideration;

Which was received and agreed to.

On motion of Mr. Brown,

The bill was recommitted to the joint standing committee on internal improvements.

The special order entitled,

An act to provide for the construction of a levee on the Missis-

issippi river, was considered in committee of the whole, Mr. Brooke in the chair.

After some time spent therein,

The committee rose, reported the same back to the House without amendment, and recommended its passage.

Mr. Brooke moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And decided in the affirmative.

Was then taken on agreeing to the report,

And decided in the affirmative.

Mr. Yerger offered the following amendment:

Amend eleventh section, 2d line, by striking out "had," and inserting "held;" third line by inserting "biennially" after "thereafter," and striking out same word after "June," and by inserting in 8th line after "State," the voters of "each county only being allowed to vote for commissioners from the county."

Pending the question on said amendment,

On motion of Mr. Cushman,

The House took a recess until 3 o'clock P. M.

THREE O'CLOCK, P. M.

The recess having expired, the House resumed its session.

The following message was received from the Senate, by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of George Holley;

A bill to be entitled,

An act to abolish the office of State commissioner, and for other purposes, and have amended the same by way of ryder;

A bill to be entitled,

An act to enable the Governor and Attorney General of the State of Mississippi to settle and compromise with the securities of Richard S. Graves, late treasurer of this State.

On motion of Mr. Cleveland,

Resolved, the Senate concurring, That Henderson Ray of Yal-

obusha county, be added to the joint standing committee on internal improvements.

Mr. Cushman by leave, introduced a bill to be entitled,

An act to secure the right of the State of Mississippi to the two and three per cent fund;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second time.

Mr. Whitfield offered the following amendment:

Amend section first by adding after the words "all others," the words "acts of Congress in relation to the two and three per cent. funds;

Which was adopted.

Mr. Suratt offered the following amendment:

Strike out "to proceed to the City of Washington."

Which was adopted.

Mr. Suratt offered the following amendment:

Strike out in section first, from "only the sum" to said State and insert "not exceeding fifteen per cent. for the first ten thousand and five per cent. upon the balance that may be recovered.

Which was adopted.

Mr. Ford moved to lay the bill and amendments on the table for the balance of the session;

Which was lost.

On motion of Mr. Suratt,

The bill as amended was referred to a select committee of five.

The Chair appointed on said committee, Messrs. Cushman, Whitmore, Suratt, Ford and Lynch.

Mr. Walker, from the select committee to whom was referred a bill to be entitled an act to repeal the sixty-sixth section of an act, entitled an act, to amend and reduce into one the several acts in relation to the revenue of this State and for other purposes, approved February 24th, 1844, reported the same back to the House with an amendment and recommended its passage as amended;

Which was received and agreed to.

On his motion,

The bill and amendments were considered as engrossed;

The bill read the third time,

And passed with its title as stated.

Mr. Godfrey, from a select committee, made the following report:

MR. SPEAKER—The committee appointed by resolution of this House to examine the books, vouchers, papers and accounts of the Auditor's and Treasurer's offices have made some examination of the same, and have instructed me to report that it is utterly impracticable for any committee to make such examination as the resolution contemplates during the session of the legislature. Your committee have proceeded in the examination of the offices aforesaid far enough to satisfy themselves that a thorough examination of these offices is essential to be had. They find much confusion among the papers in the Auditor's office, and a total want of arrangement and order among them which demands at the hands of the legislature investigation and remedy. Your committee are gratified to learn that the Senate have passed a bill appointing commissioners to examine these offices and they earnestly recommend the passage by this House of the Senate bill;

Which was received and agreed to.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have passed bills of the following titles, to-wit:

A bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools and for other purposes, approved 4th March, 1846;

A bill to be entitled,

An act to repeal an act supplemental to an act entitled an act to establish a system of common schools, and for other purposes, approved 8th March, 1846, as far as the same relates to Lexington, Holmes county;

A bill to be entitled,

An act to provide compensation for registering the 500,000 acres of land;

A bill to be entitled,

An act further to amend the several laws of this State in relation to Courts of Probate, and have made sundry amendments thereto;

In which I am desired to ask the concurrence of the House of Representatives.

The President of the Senate has signed a bill originating in the House of Representatives, as follows:

An act to authorise Daniel B. Nailor his heirs and assigns to build a turnpike road across the Big Black swamp, in the county of Warren and State of Mississippi, from the ferry known as Baldwin's Ferry to Regan's Island;

Which is herewith submitted.

Mr. Houston, from the select committee to whom was referred a bill to be entitled an act to amend an act entitled an act in relation to the reports of the High Court of Errors and Appeals, reported the same back to the House with sundry amendments thereto, and recommended its passage as amended;

Which was received and agreed to.

Mr. Whitmore offered the following amendment:

Insert after the word "forty" the word "five;

Which was adopted.

On motion of Mr. Whitmore,

The bill and amendments were considered as engrossed,

The bill read the third time,

And passed with its title as stated.

The following message was received from his excellency, the Governor, by Mr. Jones, his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to authorise the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

An act for the relief of certain citizens of the county of Jones;

An act to authorise Ezekiah McNabb to build a mill and mill dam;

An act to amend an act to secure to the owners of slaves executed by sentence of law compensation for the same;

An act to incorporate the town of Snowsville, in Choctaw county;

An act supplementary to an act to authorise Peter B. Starke, his heirs and assigns, to erect a toll bridge across the Noxubee river, &c.;

An act to exempt the city of Natchez from the operations of the law in force relative to the inspection of flour and other provisions, and for other purposes;

Approved Februars 29th, 1848.

An act to repeal, in part, an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January, 1841, approved February 6, 1841;

On motion of Mr. Garrett,

The Senate bill entitled,

An act to regulate the proceedings in Justices' Courts in certain cases,

Was called from the orders of the day,

And read the second time.

Mr. Hinds offered the following amendment:

Provide, however, That the provisions of this act shall not extend to the county of Itawamba.

Mr. Brooke moved to lay the bill and the amendment on the table;

Which was lost.

The question was then taken on the adoption of the amendment offered by Mr. Hinds,

And decided in the affirmative.

Mr. Ray offered the following amendment:

Amend by striking out "or in the beat where the debt was contracted;"

Which was lost.

Mr. West of Holmes offered an amendment by way of additional section; which,

On motion of Mr. Garrett,

Was laid on the table.

Mr. Metcalf offered the following amendment:

Be it further enacted, That the provisions of this act shall not extend to the counties of Scott and Tippah;

Which was adopted.

On motion of Mr. Garrett,

The amendments were considered as engrossed,

The bill read the third time,

And passed as amended.

Ordered that the title stand as stated.

The House resumed the consideration of its unfinished business, viz:

The bill relative to provide for constructing a levee on the Mississippi river.

The question recurred on the adoption of the amendment offered by Mr. Yerger pending the adjournment.

Mr. Whitfield moved to recommit the bill and amendments to the committee on internal improvements with instructions to report a general bill making appropriations for internal improvements out of any surplus money in the treasury, or which may be therein; during the present or next fiscal year; which improvements shall embrace the levee on the Mississippi river, the various other rivers in the State, and such roads as may require improvement from the funds of the State, whether from ordinary sources of revenue or the sales of the 500,000 acres of land, or both;

Which was lost.

On motion of Mr. Sanders,

The House adjourned until half after 9 o'clock to-morrow morning.

WEDNESDAY, MARCH 1, 1848.

The House met pursuant to adjournment,

And its deliberations opened with prayer by the Rev. Mr. Hoskins of the city of Jackson.

Mr. Smith presented the petition of Wm. M. Brown, a citizen of the county of Coahoma, in relation to pre-emption rights; which,

On his motion,

Was laid on the table.

Mr. Smith by leave, introduced a bill to be entitled,

An act supplemental to an act to provide for leasing the Chickasaw school lands, approved 23d Feb. 1848;

Which was read the first time.

Mr. Henry asked for a suspension of the rule;

Which was refused.

Mr. Bond presented the petition of sundry citizens of Harrison county, praying the passage of an act giving Calvin Bradley the privileges of a white man, to transact business for himself; which,

On his motion,

Was referred to the judiciary committee.

Mr. Ford presented the petition of sundry citizens of the county of Madison, praying the passage of an act allowing James Berry

the privilege to hawk and peddle throughout the State, without being required to pay license or other tax; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Cushman from the judiciary committee, to whom was referred a bill to be entitled,

An act to give effectual relief in cases of forcible entry and detainer, reported the same back to the House and recommended that it do not pass;

Which was received and agreed to.

Mr. Hamer from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to exempt from sale under execution the libraries of ministers of the gospel, and for other purposes;

An act requiring the treasurer of Pontotoc and Lafayette counties to loan the school fund of said counties.

Have also examined bills of the following titles, to-wit:

An act to aid in the establishment of an institution for the instruction of the blind;

And have found the same correctly enrolled.

Mr. Brown from the joint standing committee on internal improvements, to whom was recommitted the bill entitled,

An act for the improvement of the navigation of rivers, reported the same back to the House with sundry amendments thereto, and recommended its passage as amended.

Mr. Brown moved that the report be received and agreed to.

A division being called for,

The question was first taken on receiving,

And decided in the affirmative.

Mr. Hinds moved to amend the report by striking out the 6th section, and inserting a new section; which,

On motion of Mr. Catchings,

Was laid on the table.

The question was then taken on agreeing to the report of the committee,

And decided in the affirmative.

Mr. Dilworth moved to lay the bill and amendments on the table;

Which was decided in the negative by yeas and nays as follows:

YEAS—Messrs. Abbott, Arnold, Bond, Brumfield, Carroll, Connell, Dilworth, Ellis, Gatlin, Godfrey, Hogue, Houston, Steele, Suratt, Walker, Weir, and White—17.

NAYS—Mr. Speaker, Messrs. Alderson, Bardin, Brooke, Brown, Bynum, Byrn, Campbell of De Soto, Campbell of Franklin, Catchings, Cleveland, Collier, Cushman, Cypert, Dampier, Davis, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Garrett, Hall, Hamer, Henry, Hill, Hinds, Holden, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McLaurin, McWilliams, Melton, Metcalf, Nailor, Neill, Noble, Phillips, Powell, Ray, Sanders, Simrall, Slade, Smith, Stanton, Steger, Stewart, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Toulme, Trigg, Valentine, Wall, Weathersby, West of Wayne, West of Holmes, Whitfield, Whitmore, Wilds, Wilson, Wooldridge and Yerger—68.

Mr. Neill offered an amendment by way of additional section; Which was adopted.

Mr. Thomas of Yazoo offered the following amendment:

Amend 3d section, 5th line, after "appropriation," insert "provided not less than ten thousand dollars be appropriated from the mouth of Yazoo river to Yazoo City." At the end of 6th line same section insert "from Warren county John A. Purvis," 10th line, strike out "Nevett Vick," and insert "Harrison Barksdale."

Mr. Whitmore moved to strike out all to the word "at" in the first part of the above amendment;

Which was adopted.

The question was then taken on the adoption of the amendment as amend,

And decided in the affirmative.

Mr. Ford offered the following amendment:

Amend section 15 after "commissioners for each river," "a majority of whom shall constitute a quorum for the transaction of business;"

Which was adopted.

Mr. Whitfield offered an amendment by striking out the 6th section and inserting a new section in lieu thereof;

Which was adopted.

Mr. Walker offered the following amendment:

Amend the second section, 4th line, by striking out "eight" and insert "twelve;"

Which was lost.

On motion of Mr. Ford,

The vote taken on the adoption of the amendment offered by Mr. Whitfield, was reconsidered.

On motion of Mr. Houston,

The amendment was laid on the table.

Mr. Whitfield offered an amendment by way of additional section;

Which was adopted.

On motion of Mr. Wall,

The House resolved itself into committee of the whole forthwith on said bill, Mr. Wall in the chair.

After some time spent therein,

The committee rose, reported the bill back to the House with an amendment, and recommended its passage as amended;

Which was received and agreed to.

On motion of Mr. Simrall,

The bill and amendments were ordered to be engrossed for a third reading at half past 3 o'clock.

Mr. Alderson from the joint standing committee on enrolled bills, reported that they have this day presented to his Excellency the Governor, for his signature and approval a bill of the following title, to-wit;

An act to authorize Daniel B. Nailor, his heirs and assigns, to build a turnpike road across the Big Black swamp in the county of Warren, and State of Mississippi, from the ferry known as Baldwin's ferry to Regan's island.

The following message was received from the Senate by their messenger:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have concurred in the amendments made by the House to Senate bills of the following titles, to-wit:

A bill to be entitled,

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State; also,

A bill to be entitled,

An act to authorize the president and directors of the West Feliciana rail road company to close up the banking department of that institution, and for other purposes, and have made an amendment to the House amendment made to the last named bill;

In which, I am desired to ask the concurrence of the House of Representatives.

I am also instructed to inform the House of Representatives that the Senate have concurred in the following joint resolution, to-wit:

Resolved, the Senate concurring, That Henderson Ray of Yalobusha county, be added to the joint standing committee on internal improvements.

The Senate have concurred in the first, second and fourth amendments made by the House of Representatives, to a Senate bill to be entitled,

An act concerning the code of Mississippi,

And have disagreed to the third amendment made thereto, in words as follows, viz:

Amend 3d section by striking out the following words, "and be taken as evidence of the laws of this State."

On Action of Mr. Wall,

The House receded from the third amendment made to the Senate bill in relation to the code of Mississippi.

On motion,

The House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

On motion of Mr. Hinds,

The Senate resolution in relation to Howard and Hutchinson's digest, was called up,

And read the first time.

On motion of Mr. Wall,

The rule was suspended,

The resolution read the second and third time forthwith and passed.

The unfinished business was then taken up, to-wit:

The bill to provide for the construction of a levee on the Mississippi river.

The question was taken on the adoption of the amendment previously offered by Mr. Yerger,

And decided in the affirmative.

Mr. Neill offered the following amendment:

Add at the end of the 25th section as follows:

Provided, Said lock shall be of size and capacity sufficient to admit the ingress and egress of such sized steam boats as are now navigating the Tallahatchie river;

Which was adopted.

Mr. Cleveland offered the following amendment:

Amend 17th section, 4th line, by striking out "four," and inserting "two."

A division being called for,

The question was first taken on striking out,

And decided in the affirmative.

Was then taken on inserting two dollars,

And decided in the affirmative.

Mr. Simrall offered the following amendment:

Strike out in the 9th line, of 11th section, all after the words "levee district," down to word "and," in 20th line, and insert "and that the boards of police of Adams and Wilkinson counties shall each, on the first Monday of June next, or at an early day thereafter, appoint one commissioner in Adams county—the board of police of Wilkinson county one commissioner, who shall hold their office for the space of two years, and that said boards of police shall fill all vacancies by appointment;"

Which was adopted.

Mr. Hinds offered the following amendment:

Amend 29 section, "*Provided* this act receives the sanction of two thirds of both branches of the Legislature.

Mr. Wall moved to lay the amendment on the table.

Which was decided in the negative by yeas and nays, as follows:

YEAS—Messrs. Alderson, Brooke, Brown, Byrn, Campbell of D., Campbell of Franklin, Ford, Gatlin, Godfrey, Hancock, Huie, Johnston, Lynch, Mason, Metcalf, McAfee, McInnis, McLaurin, Myers, Nailor, Noble, Phillips, Powell, Sanders, Simrall, Smith, Stanton, Steger, Thomas of Marshall, Torrey, Valentine, Wall, West of Wayne, West of Holmes, White, Wilson and Yerger—37.

NAYS—Mr. Speaker, Messrs. Abbott, Arnold, Bardin, Bond,

Brumfield, Bynum, Carroll, Cleveland, Collier, Connell, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Fortson, Garrett, Hamer, Hill, Hinds, Hogue, Holden, Liddell, McWilliams, Melton, Neely, Neill, Ray, Steele, Stewart, Suratt, Thames, Thomas of Yazoo, Toulme, Trigg, Walker, Weathersby, Weir, Whitfield, Whitmore, Wilds, and Wooldridge—45.

Mr. Hamer moved for a reconsideration of the vote just taken on the refusal of the House to lay the amendment offered by Mr. Hinds on the table.

Considerable discussion arising thereon, Mr. Hinds was permitted to withdraw his amendment.

On motion of Mr. Wall,

The bill and amendments were considered as engrossed, and the bill read the third time by its title.

The question was then taken on the passage of the bill, by yeas and nays, and the result is as follows:

YEAS—Mr. Speaker, Messrs. Alderson, Brooke, Brown, Bynum, Byrn, Campbell of D., Campbell of F., Cleveland, Cushman, Cypert, Davis, Foote of Tippah, Ford, Gatlin, Godfrey, Hall, Hamer, Hancock, Henry, Hill, Hinds, Houston, Huie, Johnston, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Myers, Nailor, Noble, Phillips, Powell, Sanders, Simrall, Slade, Smith, Stanton, Steger, Thames, Thomas of Marshall, Thomas of Yazoo, Torrey, Wall, Weathersby, West of Wayne, White, Whitmore, Wilds, Wilson, and Yerger—54.

NAYS—Messrs. Abbott, Arnold, Bardin, Bond, Brumfield, Carroll, Catchings, Collier, Dampier, Dilworth, Duke, Echols, Ellis, Foote of N. Fortson, Garrett, Hogue, Holden, Liddell, Melton, Metcalf, Neely, Neill, Ray, Steele, Stewart, Suratt, Toulme, Trigg, Valentine, Walker, West of H., Whitfield, Weir and Wooldridge—35.

The Chair decided that the bill had not passed by a constitutional majority.

Mr. Wall appealed from the decision of the Chair.

The question was then taken: "Shall the decision of the Chair be sustained?"

And decided in the negative by yeas and nays, as follows, to wit:

YEAS—Messrs. Abbott, Arnold, Bardin, Bond, Brumfield, Bynum, Carroll, Cleveland, Cypert, Dampier, Davis, Dilworth, Duke, Echols, Ellis, Foote of Tippah, Foree, Fortson, Garrett, Hinds,

Hogue, Holden, Liddell, McWilliams, Melton, Metcalf, Neely, Neill, Ray, Sanders, Steele, Stewart, Suratt, Thames, Thomas of Yazoo, Toulme, Trigg, Walker, Weir, Whitfield, Wilds and Wooldridge—42.

NAYS—Messrs. Alderson, Brooke, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Catchings, Collier, Cushman, Foote of Noxubee, Ford, Gatlin, Godfrey, Hamer, Hancock, Henry, Hill, Houston, Huie, Johnston, Lynch, Mason, McInnis, McLaurin, Myers, Nailor, Noble, Phillips, Powell, Simrall, Slade, Smith, Stanton, Steger, Thomas of Marshall, Torrey, Valentine, Wall, Weathersby, West of Holmes, White, Whitmore, Wilson and Yerger—44.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives, that the Senate have passed bills of the following titles, to wit:

A bill to be entitled,

An act to authorize certain alterations in the offices of Auditor and Treasurer;

A bill to be entitled,

An act to repeal an act entitled an act to establish a system of common schools, and for other purposes, as to Noxubee county, and have made an amendment thereto, by way of ryder;

A bill to be entitled,

An act to limit the powers of the librarian and keeper of the capital;

In which I am instructed to desire the concurrence of the House of Representatives.

And have passed bills from the House of Representatives of the following titles, to wit:

A bill to be entitled,

An act to change the time of holding the probate courts of the counties of Greene and Wayne;

A bill to be entitled,

An act for the relief of Jefferson J. Hughes;

Resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

A bill to be entitled,

An act to reduce the per diem allowance of the members of the

members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

A bill to be entitled,

An act to reduce the per diem allowance of the board of police of Jackson county;

A bill to be entitled,

An act to reduce the per centage of the county treasurer of Harrison county, so far as relates to the common school fund;

A bill to be entitled,

An act to amend the several acts in relation to tippling and retailing.

The special order for a third reading, entitled

An act to provide for the improvement of the rivers in the State of Mississippi, was taken up.

On motion of Foote of Noxubee,

The reading of the bill was dispensed with, and the bill read the third time by its title.

The question was then taken on the passage of the bill; and decided in the affirmative by yeas and nays, as follows:

YEAS—Mr. Speaker, Messrs. Alderson, Bardin, Brooke, Brown, Byrn, Campbell of De Soto, Campbell of Franklin, Catchings, Cleveland, Collier, Cushman, Cypert, Dampier, Davis, Duke, Echols, Foote of Noxubee, Foote of Tippah, Ford, Foree, Hall, Hamer, Hancock, Henry, Hinds, Houston, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams, Melton, Metcalf, Myers, Nailor, Neill, Noble, Phillips, Powell, Ray, Sanders, Simrall, Slade, Smith, Stanton, Steele, Steger, Stewart, Thames, Thomas of Marshall, Toulme, Trigg, Wall, Weathersby, West of Holmes, Whitmore, Wilds, Wilson, Wooldridge and Yerger—65.

NAYS—Messrs. Abbott, Arnold, Bond, Brumfield, Carroll, Dilworth, Ellis, Fortson, Garrett, Gatlin, Godfrey, Hill, Hogue, Holden, Neely, Suratt, Thomas of Yazoo, Valentine, Walker, Weir, and Whitfield—21.

Ordered, That the title stand as stated.

On motion of Mr. West of Holmes,

The House adjourned until ten o'clock, to morrow morning.

THURSDAY, MARCH 2, 1848.

The House met pursuant to adjournment;

And its deliberations were opened with prayer by the Reverend Mr. Hoskins of the city of Jackson.

Mr. Wall asked and obtained leave of absence for Mr. Myers, the balance of the session.

Mr. Connell, from the joint standing committee on claims, made the following report:

MR. SPEAKER—The joint standing committee on claims to whom were reported sundry claims against the State, have bestowed much labor in the examination of the same, and have passed upon them respectively, as in the opinion of your committee their merits demanded.

Many claims have been rejected because your committee were of opinion that, when duly and properly certified, the Auditor of Public Accounts has ample authority and is the proper officer to allow the same; others have been rejected for the want of satisfactory proof of their justice; whilst others have been curtailed in amount because your committee were of opinion that too much had been charged.

Your committee have instructed the undersigned to report the several claims (with the endorsement thereon) back to the House, by which they were respectively referred, together with a bill, first to be considered by the Senate, and recommend its passage.

R. H. BOONE, Chairman,

Committee on part of the Senate,

J. T. CONNELL, Chairman,

Committee on part House Representatives.

Mr. Connell moved that the report be received and agreed to. A division being called for,

Was taken on receiving,

And decided in the affirmative.

Mr. Connell, from the same committee, made the following report:

MR. SPEAKER—The joint standing committee on claims to whom was referred a bill to be entitled an act for the relief of the administrators of James T. Stockard, have had the same under consideration, and they have instructed me to report it back to the

House without any recommendation, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

On motion of Mr. Cushman,

The House resolved itself forthwith into committee of the whole on said bill, Mr. Wall in the chair.

After some time spent therein, the committee rose, reported the bill back to the House without amendment and recommend that it do pass.

Mr. Wall moved that the report be received and agreed to.

A division being called for,

The question was taken on receiving,

And decided in the affirmative.

The question was then taken on agreeing,

And decided in the negative.

Mr. Huie, from the committee on propositions and grievances to whom was referred a resolution instructing said committee to inquire into the expediency of releasing the securities of William Ransom, on his official bond, as assessor and tax collector for the county of Carroll, during the years 1840 and 1841, reported unfavorably to the same;

Which was received and agreed to.

Mr. Huie, from the same committee to whom was referred the petition of sundry citizens of the county of Madison, reported the same back to the House with a bill to be entitled,

An act for the relief of James Berry,

Which was received and agreed to,

And the bill read the first time.

Mr. Huie asked for a suspension of the rules;

Which was refused.

Mr. Alderson, from a joint standing committee, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, viz:

An act to reduce the per centage of the county treasurer of the county of Harrison, so far as relates to the common school fund;

An act for the relief Jefferson J. Hughes;

An act to reduce the per diem allowance of the Board of Police of Jackson county;

An act to reduce the per diem allowance of the members of the Boards of Police in the counties of Harrison and Hancock, and for other purposes;

A resolution granting leave of absence to judges W. L. Sharkey and A. M. Clayton;

An act concerning the code of Mississippi;

And have found the same correctly enrolled.

The following message was received from the Senate by their messenger:

MR. SPEAKER—The Senate have passed a bill of the following title, to-wit:

A bill to be entitled,

An act supplementary to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

In which I am instructed to ask the concurrence of the House of Representatives.

The Senate have given leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act making certain appropriations therein named;

A bill to be entitled,

An act supplemental to an act entitled an act to dispose of the 500,000 acres of land donated to this State by Congress for purposes of internal improvements, approved February 23d, 1848 and for other purposes;

A bill to be entitled,

An act to repeal the sixty-second section of the thirty-sixth chapter of the law in Howard & Hutchinson's Code.

The Senate have adopted a memorial and resolution of the following title, to-wit:

Memorial of the legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of carrying the mail;

In which I am instructed to ask the concurrence of the House of Representatives.

The Senate have passed a bill from the House of Representatives to be entitled,

An act for the relief of Silas L. Steen.

Mr. Wilds, from the standing committee on county boundaries,

to whom was referred the petition of sundry citizens of Madison county, reported that it was inexpedient at this time to alter the old county boundaries; and asked to be discharged from its further consideration;

Which was received and agreed to.

Mr. Wilds, from the same committee, to whom was referred the petition of sundry citizens of Choctaw county, reported that it was inexpedient to grant the prayer of the petitioners;

Which was received and agreed to.

Mr. Wilds, from the same committee to whom was referred the petition of sundry citizens of the county of Franklin, Lawrence and Copiah, in relation to the formation of a new county, reported that it was inexpedient to grant the prayer of said petitioners;

Which was received and agreed to.

Mr. Cushman, from the select committee to whom was referred a bill to be entitled an act to secure the rights of the State of Mississippi to the two and three per cent fund, reported the same back to the House without amendment and recommended that it do pass;

Which was received and agreed to.

On motion of Mr. Hancock,

The report and bill was laid on the table.

Mr. Thomas of Yazoo, from the select committee to whom was referred a bill to be entitled an act to attach portions of Issaquena and Washington counties to Yazoo county, reported the same back to the House and recommended that it do not pass;

Which was received and agreed to.

Mr. Brown, from the select committee to whom was referred the report of the commissioners on the State lands, as to trespasses, reported the same back to the House with a bill to be entitled,

An act to prohibit trespass on the State, school and individual lands of the State, and for other purposes;

Which was received and agreed to,

And the bill read the first time.

On motion of Mr. Brown,

The rule was suspended,

And the bill read a second time.

On motion of Mr. Hamer,

The bill was made the special order of the day for to-morrow at 10 o'clock.

Mr. Thames, by leave, introduced a bill to be entitled,
An act to incorporate the town of Decatur, in the county of
Newton;

Which was read the first time.

On his motion,

The rule was suspended,

And the bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Wall, by leave, introduced a bill to be entitled,

An act granting a pension to Solomon Newman, a soldier of the
first regiment Mississippi rifles, wounded at Buena Vista;

Which was read the first time.

Mr. Wall asked for a suspension of the rules;

Which was refused.

Mr. Slade, by leave, introduced a bill supplemental to an act
passed at the present session of the legislature entitled,

An act to provide for the removal of the seat of justice of Yazoo
county;

Which was read the first time.

On motion of Mr. Slade,

The rule was suspended,

The bill read a second and third time, forthwith,

And passed with its title as stated.

The House proceeded to the consideration of the Senate mes-
sages.

On motion of Mr. Dilworth,

The bill to be entitled,

An act to change the name of Tishemingo county,

Was indefinitely postponed.

The Senate bill entitled,

An act for the relief of the officers and privates of Company I,
of the Marshall Guards of the first regiment of Mississippi rifles;

Was read the first time.

On motion of Mr. Thomas,

The rule was suspended,

And the bill read the second time.

On his further motion,

The House resolved itself forthwith into committee of the whole
on said bill, Mr. Henry in the chair.

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

On motion of Mr. Thomas of Marshall,

The bill was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Thomas of Marshall, Whitfield, Walker, Hancock and Suratt.

The Senate bill entitled,

An act to change the time of holding the Circuit Courts for the counties of Leake and Attala,

Was read the first time.

On motion of Mr. Brooke,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to provide for the application of the common school fund that has or may hereafter accrue under an act approved 4th March, 1846, in the county of Marion, and for other purposes,

Was read the first time.

On motion of Mr. Stewart,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of Mary Mattauer, a woman of color, the wife of Henry Mattauer,

Was read the first time.

Mr. Johnston asked for a suspension of the rules;

Which was refused.

The Senate bill entitled,

An act permanently to establish the seat of justice of Tunica county,

Was read the first time.

On motion of Mr. Dilworth,

The rule was suspended,

The bill read a second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Dilworth,

The House concurred in the amendment made by the Senate to a bill from the House entitled,

An act for the better regulation of the State library.

A message from his excellency, the Governor, by Mr. Jones his private secretary:

MR. SPEAKER—I am instructed by his excellency, the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act to provide further time for holding the circuit court of Noxubee county, at the next June term of the same;

An act to authorize Daniel B. Nailor, his heirs or assigns, to build a turnpike road across the Big Black swamp, in the county of Warren, and State of Mississippi, from the ferry known as Baldwin's ferry to Regan's Island.

Approved March 2d, 1848.

Mr. Foote of Noxubee, by leave, introduced a bill to be entitled

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston, and Covington;

Which was read the first time.

On motion of Mr. Foote of Noxubee,

The rule was suspended,

And the bill read the second time.

Mr. Wooldridge offered an amendment by inserting various counties to the bill;

Which was adopted.

Mr. Whitfield offered an amendment by way of additional section;

Which was adopted.

On motion of Mr. Foote of Noxubee,

The bill and amendments were considered as engrossed, read the third time and passed as amended.

The Senate bill entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved March 4, 1846,

Was read the first time.

On motion of Mr. Thomas of Marshall;

The rule was suspended,

And the bill read the second time,

Mr. Stanton moved an amendment, by inserting various counties;
Which was adopted.

On motion of Thomas of Marshall,

The amendments were considered as engrossed, the bill read the third time, and passed as amended.

On motion of Mr. Simrall,

The House concurred in the amendments made by the Senate to the amendments by the House to the Senate bill, entitled,

An act to authorize the president and directors of the West Feliciana rail road company to close up the banking department of that institution, and for other purposes.

The Senate bill entitled,

An act to enable the Governor and Attorney General of the State of Mississippi to settle and compromise with the securities of Richard S. Graves, late treasurer of this State,

Was read the first time.

On motion of Mr. Neill,

The rule was suspended,

The bill read the second and third time, forthwith.

Mr. Weir moved that the bill be indefinitely postponed;

Which was lost.

The question was then taken on the passage of the bill, and decided in the affirmative.

On motion of Mr. Cypert,

The House took a recess until 3 o'clock.

THREE O'CLOCK, P. M.

The recess having expired, the House resumed its session.

The Senate bill entitled,

An act to limit the power of the librarian and keeper of the capitol,

Was read the first time.

On motion of Mr. Walker,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Stanton, by leave, introduced a bill to be entitled,
An act to change the name of Mary H. Sterns, to Mary H. Parker;

Which was read the first time.

On his motion,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of George Holly,

Was read the first time.

On motion of Mr. Bond,

The rule was suspended,

And the bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Steger, by leave, introduced the following resolution:

Resolved, The Senate concurring, that a committee of five, on the part of the House, and ———, on the part of the Senate, be appointed to report resolutions expressive of the feelings of this Legislature in relation to the death of the late John Q. Adams, Ex-President of the United States.

On motion of Mr. Steger,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and the resolution read the second time and adopted.

The Chair appointed as said committee, on the part of the House, Messrs. Steger, Yerger, Johnston, Whitmore, and Simrall.

The Senate bill entitled,

An act concerning the Hernando Female Academy, in Desoto county;

Was read the first time.

On motion of Mr. Campbell of Desoto

The rule was suspended;

And the bill read the second and third time, forthwith,

And passed with its title as stated.

A message from the Senate:

MR. PRESIDENT—The Senate have passed a bill of the following title, to wit:

A bill to be entitled,

An act for the relief of John P. Johnson.

The Senate have made an amendment to a bill from the House of Representatives, entitled an act to regulate the Public Printing;

In which I am instructed to ask the concurrence of the House of Representatives.

The Senate have concurred in the amendment made by the House of Representatives to a Senate bill to be entitled,

An act to regulate the proceedings in justices courts in certain cases.

The Senate have passed bills from the House of Representatives of the following titles, to wit:

A bill to be entitled,

An act to amend an act entitled an act directing the method of proceeding in courts of equity against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1822;

A bill to be entitled,

An act to change the time of holding the probate court of Yalobusha county;

A bill to be entitled,

An act for the relief of Thomas Kirkman, executor of the estate of James Jackson;

The Senate have passed a bill of the following title to wit:

A bill to be entitled,

An act making certain appropriations therein named;

In which I am instructed to ask the concurrence of the House of Representatives.

The President of the Senate has signed acts of the following titles, to wit:

An act for the relief of Jefferson J. Hughes;

An act to reduce the per centage of the county treasurer of the county of Harrison, so far as relates to the common school fund;

A resolution granting leave of absence to judges W. L. Sharkey and A. M. Clayton;

An act to reduce the per diem allowance of the board of police of Jackson county;

An act to reduce the per diem allowance of the members of the board of police in the counties of Harrison and Hancock, and for other purposes;

Which are herewith submitted.

Mr. Sanders, by leave, introduced a resolution for the appointment of a commissioner to ascertain the geographical center of this State, and for other purposes;

Which was read the first time.

On motion of Mr. Metcalf,

The resolution was rejected by ayes and noes, as follows:

YEAS—Mr. Speaker, Messrs. Alderson, Arnold, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of De Soto, Campbell of F., Carroll, Catchings, Connell, Cushman, Dampier, Davis, Dilworth, Ellis, Foote of Tippah, Fortson, Garrett, Gatlin, Henry, Hill, Hogue, Johnston, McInnis, McLaurin, Metcalf, Nailor Neely, Noble, Phillips, Simrall, Slade, Smith, Stanton, Steger, Stewart, Suratt, Thames, Thomas of Marshall, Toulme, Valentine, Wall, Weathersby, West of Wayne, White, Wilds, Wilson, Wooldridge and Yerger—52.

NAYS—Messrs. Abbott, Bardin, Brooke, Collier, Cypert, Duke, Echols, Ford, Godfrey, Hall, Hamer, Hinds, Houston, Liddell, McAfee, McWilliams, Neill, Ray, Sanders, Steele, Trigg, Walker, Weir, West of Holmes, Whitfield, and Whitmore—29.

On motion of Mr. West of Holmes,

The Senate bill entitled,

An act to provide for and establish common schools in the counties of Hinds, Holmes, and Yalobusha;

Was called from the table.

Mr. Ray offered the following amendment:

Amend, by striking out Yalobusha county;

Which was adopted.

Mr. Weathersby offered the following amendment:

Amend by inserting Lawrence county;

Which was adopted.

Mr. West of Holmes, offered the following amendment:

Insert as follows, in the 13th line, after the words, having school funds: And those townships having, but small school funds, be made equal with the townships having a larger sum or sums, before those with larger school funds shall be entitled to draw the school funds provided for by this act;

Which was adopted.

On motion of Mr. Catchings,

The amendments were considered as engrossed,

The bill read the third time, and passed as amended.

The Senate resolution of the Legislature of the State of Mississippi to furnish to the Governor of Texas two copies of Howard & Hutchinson's Digest,

Was read the first time.

On motion of Mr. Dilworth,

The rule was dispensed with,

The resolution read the second and third time forthwith and passed.

The Senate bill entitled,

An act to authorize the voters of Coahoma county to permanently locate the county seat,

Was read the first time;

On motion of Mr. Yerger,

The rule was dispensed with,

The bill read the second and third time, forthwith,

And passed with its title as stated.

Mr. Whitfield moved that the House concur in the amendment made by the Senate to a House bill entitled, an act to incorporate the Columbus Female Institute in the town of Columbus, Lowndes county;

Which was lost.

A message from the Senate:

MR. SPEAKER—The Senate have passed a bill from the House of Representatives of the following titles, to-wit:

A bill to be entitled,

An act supplemental to an act passed at the present session of this Legislature, entitled an act to provide for the removal of the seat of justice in Yazoo county.

The Senate bill entitled,

An act amendatory of an act to incorporate the town of Canton,

Was read the first time.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, probate judges, and probate clerks of certain counties therein named, approved February 23, 1846,

Was read the first time.

On motion of Mr. McLaurin,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

On motion of Mr. Sanders,

The House concurred in the amendment made by the Senate to a House bill entitled,

An act to change the time of holding the probate court of Attala county.

The Senate bill entitled,

An act to amend an act to change the time of holding the probate court of Coahoma county, approved 22d Jan. 1848,

Was read the first time.

On motion of Mr. Yerger,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county,

Was read the first time.

On motion of Mr. Fortson,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act to authorize Hugh R. Miller, of Pontotoc county, to remove to Hardeman county Tennessee, certain property of his wards, Mr. V., Phillip D., Beverly M., and John B. Lacey,

Was read the first time.

On motion of Mr. Duke,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of John A. Cotton,

Was read the first time.

Mr. Catchings asked a suspension of the rules;

Which was refused.

On motion of Mr. Whitfield,

The House concurred in the amendment made by the Senate to a House bill entitled,

An act to regulate the public printing.

Mr. Yerger by leave introduced a bill to be entitled,

An act to amend an act entitled an act to incorporate the Commercial and Rail Road Bank of Vicksburg;

Which was read the first time.

Mr. Yerger asked for a suspension of the rules;

Which was refused.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to reduce the per diem allowance of the members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

An act to reduce the per diem allowance of the boards of police of Jackson county;

An act to reduce the per centage of the county treasurer of the county of Harrison so far as relates to the common school fund;

An act for the relief of Jefferson J. Hughes;

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

An act concerning the code of Mississippi;

And have also examined the following bill:

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

And have found the same correctly enrolled.

Mr. Wooldridge by leave, introduced a bill to be entitled,

An act to reduce the per diem allowance of the probate judge and probate clerk of the county of Neshoba;

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Liddell by leave, introduced a bill to be entitled,

An act to amend the fourth and seventh sections of an act entitled an act to incorporate the town of Middleton in Carroll county, approved 22d Feb. 1840;

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Huie by leave introduced a bill to be entitled,

An act to authorize the treasurer of the county of Choctaw to loan out the moneys in the treasury of said county belonging to the school fund of said county;

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read a second and third time forthwith,

And passed with its title as stated.

Mr. Bardin by leave, introduced a bill to be entitled,

An act to incorporate the Joseph Warren Lodge No. 71, of free and accepted masons in the town of New Albany, Pontotoc county;

Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled,

An act for the relief of John T. Johnson,

Was read the first time.

Mr. Ford asked for a suspension of the rules;

Which was refused.

On motion of Mr. Thomas,

The House bill entitled,

An act for the relief of Thomas T. Higginbotham, was called from the orders of the day,

And read a third time.

The question was then taken on the passage of the bill,
And decided in the affirmative.

On motion of Mr. Whitfield,

The House took a recess until half past 7 o'clock.

HALF-PAST SEVEN O'CLOCK P. M.

The recess having expired, the House resumed its session.

On motion of Mr. McWilliams,

The House concurred in the amendments made by the Senate to a House bill entitled,

An act further to amend the several laws of the State in relation to courts of probate.

Mr. Thomas of Marshall, from a select committee, to whom was referred a Senate bill entitled,

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the 1st regiment of Mississippi Rifles, reported the same back to the House with an amendment and recommended its passage as amended;

Which was received and agreed to.

Mr. Dilworth offered the following amendment:

Provided, That said money shall not be paid until the same be received into the State Treasury from the General Government, or one of the pay masters of said government.

On motion of Mr. Ford,

The amendment was laid on the table.

On motion of Mr. Thomas of Marshall,

The amendments were considered as engrossed,

And the bill read the third time,

And put upon its passage,

And decided in the affirmative by ayes and noes as follows, to wit:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Bond, Brown, Brumfield, Bynum, Byrn, Campbell of Desoto, Carroll, Connell, Cushman, Dampier, Davis, Ellis, Ford, Fortson, Gatlin, Godfrey, Hancock, Henry, Hill, Hinds, Holden, Houston, Huie, Johnston, Liddell, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams,

Melton, Metcalf, Nailor, Neill, Noble, Phillips, Powell, Ray, Smith, Stanton, Steele, Steger, Suratt, Thames, Thomas of Marshall, Torrey, Valentine, White, Whitfield, Whitmore, Wilds, Wilson and Wooldridge—57.

NAYS—Messrs. Arnold, Bardin, Campbell of Franklin, Dilworth, Duke, Garrett, Hogue, Sanders, Stewart, Toulme—10.

On motion of Mr. Neill,

The vote taken on the refusal of the House to suspend the rules to the end that a bill to be entitled,

An act for the relief of John T. Johnson, might be read a second time, was reconsidered.

On motion of Mr. Ford,

The rule was suspended,

The bill read the second time,

And referred to a select committee of five.

The Chair appointed as said committee, Messrs. Neill, Whitfield, Henry, McWilliams and Thomas of Marshall.

Mr. Powell by leave, introduced a bill entitled,

An act to incorporate the Deer Creek Navigation Company;
Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Steele by leave, introduced a bill entitled,

An act for the benefit of Catharine D. White;
Which was read the first time.

On his motion,

The rule was dispensed with,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Hancock moved to call up from the orders of the day a bill in relation to hawkers and pedlars;

Which was lost.

Mr. Bond by leave, introduced a bill entitled,

An act to establish and secure a ferry across the Back Bay of Biloxi;

Which was read the first time.

On his motion,

The rule was suspended,
 The bill read a second and third time forthwith,
 And passed with its title as stated.

On motion of Mr. Whitmore,
 The bill entitled,
 An act to relinquish the title of the State to certain property,
 to V. Newton and E. A. Drake, was called from the orders of
 the day.

And read the second time.
 Mr. Whitmore asked for a suspension of the rules;
 Which was refused.

The House bill entitled,
 An act for the relief of the Raymond female institute,
 Was read the second time.

On motion of Mr. White,
 The bill was indefinitely postponed.
 The House bill entitled,
 An act for the relief of Joseph Pool, late sheriff of Jones county,
 Was read the second time.

On motion of Mr. Bynum,
 The House resolved itself into a committee of the whole forth-
 with on said bill, Mr. Abbott in the chair.

After some time spent therein,
 The committee rose, reported the bill back to the House with-
 out amendment and recommended its passage.

Mr. McWilliams moved that the report be received and agreed to.
 A division being called for,
 The question was taken on receiving,
 And decided in the affirmative.

The question was then taken on agreeing to the report,
 And decided in the affirmative.

Mr. Ford moved a suspension of the rule;
 Which was lost.

On motion of Mr. Phillips,
 The vote just taken was reconsidered.

On motion of Mr. Bynum,
 The bill was referred to a select committee of five.

The Chair appointed as said committee, Messrs. Bynum, Ellis,
 Ford, Stanton, and Duke.

Mr. Ellis asked to be excused from serving on the committee;
Which was refused.

The House bill entitled,
An act for the relief of Carey D. Tucker,
Was read the third time,
And passed with its title as stated.

The House bill entitled,
An act for the relief of William Barton,
Was read the third time,
And passed with its title as stated.

The House bill entitled,
An act to incorporate the Canton Insurance Company,
Was read the third time,
And passed with its title as stated.

The special order for the committee of the whole, entitled,
An act to provide for the construction of a levee on the Mississippi river in Tunica county, was considered.

On motion of Mr. Byrn,
The committee of the whole was discharged,
And the bill read the third time.

Mr. Campbell of De Soto, offered an amendment by way of
ryder, by inserting an additional section;
Which was read the first time.

On motion of Mr. Brown,
The rule was suspended,
The ryder read the second and third time forthwith,
And adopted.

The question was then taken on the passage of the bill with its
ryder, and decided in the affirmative.

The House bill entitled,
An act to require the Chancellor of the State to hold terms of
the Superior Court of Chancery at Canton, in Madison county,
Was read the second time.

On motion of Mr. West of Holmes,
The rule was suspended,
The bill read the third time forthwith,
And passed with its title as stated.

Mr. McInnis, by leave, introduced a bill entitled,
An act explanatory of an act approved February 22d, 1842,
prescribing the duties of the county treasurers;

Which was read the first time.

On his motion,
The rule was suspended,
The bill read the second and third time forthwith,
And passed with its title as stated.

On motion of Mr. Connell,
The Senate bill entitled,
An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer and executive department of this State, and for other purposes, was called up,
And read the first time.

On motion of Mr. Connell,
The rule was suspended,
And the bill read a second time.
Mr. Stewart offered the following amendment:

Amend by striking out four dollars per day wherever it occurs
And insert three dollars.

On motion of Mr. Ford,
The amendment was laid on the table.

On motion of Mr. Connell,
The rule was further suspended,
The bill read a third time forthwith,
And passed with its title as stated.

Mr. Whitfield, by leave, introduced a bill to be entitled,
An act for the speedy collection of the interest due and to become due on school funds in the county of Lowndes;
Which was read the first time.

On his motion,
The rule was suspended,
And the bill read the second time.
Mr. Whitmore offered the following amendment:
Strike out the words county of Lowndes where it occurs and insert counties of Lowndes and Carroll;
Which was adopted.

On motion of Mr. Whitfield,
The bill and amendment was considered as engrossed,
The rule suspended,
The bill read the third time,
And passed as amended.

Mr. McInnis, by leave, introduced a bill to be entitled,
 An act to amend an act entitled an act, approved February 22d,
 1842, in relation to the retailing vinous and spirituous liquors;
 Which was read the first time.

On his motion,
 The rule was suspended,
 And the bill read the second time.

Mr. McInnis asked for a further suspension of the rule;
 Which was refused.

On motion of Mr. Metcalf,
 The House adjourned until half past 9 o'clock to-morrow morn-
 ing.

FRIDAY, MARCH 3, 1848.

The House met pursuant to adjournment;
 And its deliberations opened with prayer by the Rev. Mr. Fra-
 zee.

On motion of Mr. Foote of Noxubee,
 The reading of the journals was dispensed with.

On motion of Mr. Liddell,
 The bill to be entitled,
 An act for leasing out the penitentiary,
 Was called from the table,
 And read the second time.

On motion of Mr. Brooke,
 The bill was laid on the table.

The Senate bill entitled,
 An act to amend an act entitled an act to amend the penitentiary
 code of this State,

Was read the second time.

Mr. Liddell offered the following amendment:

Strike out the second section;
 Which was adopted.

Mr. Liddell offered an amendment by way of additional section;
 Which was adopted.

On motion of Mr. Liddell,
 The House resolved itself forthwith into committee of the whole

on said bill, Mr. Thomas of Marshall in the chair.

After some time spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage;

Which was received and agreed to.

On motion of Mr. Metcalf,

The amendments were considered as engrossed,

The rule suspended,

The bill read the third time,

And passed as amended.

On motion of Mr. Whitmore,

The House proceeded to the consideration of the bills on the orders of the day, that were for a third reading:

The House bill entitled,

An act to regulate appeals and writs of error from judgments in cases of *habeas corpus*,

Was read the third time.

The question was then taken on the passage of the bill,

And decided in the affirmative.

Mr. Alderson from a joint standing committee made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, viz:

An act to change the time of holding the Probate Courts of the counties of Greene and Wayne;

An act to change the time of holding the Probate Court of Yazobusha county;

An act to amend the several acts in relation to tippling and retailing;

An act for the relief of Silas L. Steen;

An act to extend the time of holding the Probate Courts of the county of Attala;

An act for the better regulation of the State Library;

An act supplemental to an act passed at the present session of this legislature, entitled an act to provide for the removal of the seat of justice in Yazoo county;

An act for the relief of Thomas Kirkman, executor of the last will and testament of James Jackson;

An act to amend an act entitled an act directing the method of proceeding in Courts of Equity against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1822;

An act further to amend the several laws of the State in relation to Courts of Probate;

An act to regulate public printing;

A resolution in relation to Howard & Hutchinson's Digest;

An act supplemental to an act for the relief of the sheriff or tax collector of Monroe county;

An act for the relief of George Holly;

An act to authorise Hugh R. Miller of Pontotoc county to remove to Hardeman county, Tennessee, certain property of his wards, Mary V., Phillip D., Beverly M. and John B. Lacey;

An act permanently to establish the seat of justice in Tunica county;

A resolution of the legislature of the State of Mississippi to furnish to the Governor of Texas two copies of Howard & Hutchinson's Digest;

An act to amend an act entitled an act to change the time of holding the Probate Court of Coahoma county, approved 22d, January, 1848;

An act concerning the Hernando Female Academy, in De Soto county;

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville, and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

An act to limit the powers of the librarian and keeper of the capitol;

An act to authorize the voters of Coahoma county to permanently locate their county seat;

An act to regulate the proceedings in Justices Courts in certain cases;

An act to change the time of holding the Circuit Courts for the counties of Leake and Attalla;

An act to repeal so much of an act as relates to the probate

judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, probate judges, and probate clerks of certain counties therein named, approved February 23d, 1846;

An act to provide for the application of the common school fund that has and may hereafter accrue under an act approved 4th March, 1846, in the county of Monroe, and for other purposes;

And have found the same correctly enrolled.

A message from the Senate:

MR. SPEAKER—The Senate have given leave to the introduction of bills of the following titles, to-wit:

A bill to be entitled,

An act to amend the laws now in force in relation to writs of error, and judgments and decrees rendered in any court in this State;

A bill to be entitled,

An act to amend an act to regulate the practice of the Circuit Courts, approved 22d February, 1830.

The Senate have concurred in the amendments made by the House of Representatives to a Senate bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools and for other purposes, approved 4th March, 1846.

The House bill entitled,

An act to provide for the settlement of guardians in other States by administrators, executors &c.,

Was read the third time.

The question was then taken on the passage of the bill,

And decided in the affirmative.

The House bill entitled,

An act to regulate cases of bastardy in this State, was,

On motion of Mr. Hinds,

Laid on the table.

The House bill entitled,

An act to amend an act entitled an act to change the mode of collecting revenue of Hawkers and pedlars &c.,

Was read the third time,

And passed with its title as stated.

The House bill entitled,

An act to amend an act entitled an act concerning divorces, passed June 4th, 1822,

Was read the third time,
 And passed with its title as stated.
 The House bill entitled,
 An act to enable married women whose husbands have been
 convicted of infamous offences to obtain divorce &c.,

Was read the third time,
 And lost upon its passage.
 The Senate bill entitled,
 An act to increase the compensation of the District Attorneys
 of this State,

Was read the third time.
 The question was then taken on the passage of the bill,
 And decided in the affirmative.
 The House bill entitled,
 An act to amend the several laws of this State, regulating the
 proceeding and practice of the High Court of Errors and Appeals,
 Was read the third time.

Mr. Hancock moved the rejection of the bill;
 Which was decided in the negative by ayes and noes as follows:
 AYES—Messrs. Bardin, Bond, Foote of Tippah, Hancock, Hill,
 Walker—6.

NOES—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Brooke,
 Brown, Bynum, Campbell of Desoto, Campbell of Franklin, Car-
 roll, Catchings, Connell, Cushman, Cypert, Dampier, Davis, Dil-
 worth, Duke, Ford, Fortson, Garrett, Gatlin, Hall, Hamer, John-
 ston, Lynch, Mason, McAfee, McInnis, McLaurin, McWilliams,
 Melton, Metcalf, Nailor, Neely, Noble, Phillips, Powell, Sanders,
 Simrall, Smith, Steele, Steger, Suratt, Thomas of Marshall,
 Thomas of Yazoo, Toulme, Valentine, Weir, West of Wayne,
 West of Holmes, Whitfield, Whitmore, Wilds, Wilson and Yerger
 —56.

The question was then taken on the passage of the bill,
 And decided in the affirmative.
 The House bill entitled,
 An act for the benefit of Justices of the Peace, &c.,
 Was read the third time,
 And passed with its title as stated.
 The House bill entitled,
 An act to relinquish the right of the State to certain property to
 V. Newton and E. Drake &c.,

Was read the third time,
And passed with its title as stated.

The House bill entitled,
An act relative to retailing liquors, approved February 22d,
1842,

Was read the third time,
And passed with its title as stated.

Mr. Godfrey, by leave, introduced a bill to be entitled,
An act to legalize the proceedings of a term of the Probate
Court held on the 3d and 4th days of February in 1848, in Win-
ston county;

Which was read three several times forthwith,
And passed with its title as stated.

Mr. Alderson, by leave, introduced a bill to be entitled,
An act supplemental to an act in relation to the 500,000 acres
of land passed at the present session of the legislature,
Which was read three several times forthwith,
And passed with its title as stated.

On motion of Mr. Suratt,
Leave of absence was granted to Messrs. Stewart and Foree
for the balance of the session.

On motion of Mr. Metcalf,
Leave of absence was granted to Mr. Brumfield for the balance
of the session.

On motion of Mr. Neely,
Leave of absence was granted to Mr. Moore for the remainder
of the session.

A message from the Senate:

MR. SPEAKER—The President of the Senate has signed

An act to change the time of holding the Probate Courts of the
counties of Greene and Wayne;

An act further to amend the several laws of this State in rela-
tion to Courts of Probate;

An act to regulate the public printing;

An act for the relief of Thomas Kirkman, executor of the last
will and testament of James Jackson;

An act for the better regulation of the State Library;

An act supplemental to an act passed at the present session of
the legislature, entitled an act to provide for the removal of the
seat of justice in Yazoo county;

An act for the relief of Silas L. Steen;

An act to change the time of holding the Probate Court of Yalobusha county;

An act to amend the several acts in relation to tippling and retailing;

An act to amend an act entitled an act directing the method of proceeding in Courts of Equity against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7, 1822;

An act to extend the time of holding the Probate Court of Atala county.

The Senate have concurred in the amendments made by the House of Representatives to a Senate bill, to be entitled,

An act to provide for and establish common schools in the counties of Hinds, Holmes, and Yalobusha.

The Senate have passed a bill to be entitled,

An act to grant to the Israelite congregation in the city of Jackson, a lot of ground in said city;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have made an amendment to a bill from the House of Representatives, to be entitled,

An act to amend and alter the militia laws of this State;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have concurred in the amendments made by the House of Representatives to a Senate bill, to be entitled,

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the 1st Mississippi Rifles.

Mr. Neill, from the select committee, to whom was referred a bill to be entitled,

An act for the relief of John T. Johnson. reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to,
And the bill read the third time.

On motion of Mr. Ford,

The House resolved itself into committee of the whole, forthwith, on said bill;

Mr. Wall in the Chair.

After sometime being spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage;

Which was received and agreed to.

The question was then taken on the passage of the bill, and decided in the affirmative.

Mr. Whitmore, by leave, introduced a bill to be entitled,

An act to amend the law relative to the election of Electors of President and Vice-President of the United States;

Which was read three several times, forthwith,

And passed with its title as stated.

Mr. Bynum, from the select committee, to whom was referred the bill to be entitled, an act for the relief of Joseph Pool, late sheriff of Jones county, reported the same back to the House without amendment, and recommended its passage;

Which was received and agreed to,

And the bill read the third time,

And passed with its title as stated.

On motion of Mr. Connell,

The Senate bill entitled,

An act making certain appropriations therein named,

Was called up and read the first time.

On motion of Mr. Whitfield,

The rule was suspended,

The bill read the second time.

On his further motion,

The House resolved itself forthwith into committee of the whole on said bill;

Mr. Wall in the Chair.

After sometime spent therein, the committee rose, reported progress, and asked leave to sit again at 3 o'clock;

Which was received and agreed to;

On motion of Mr. Hancock,

The House adjourned until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The House met pursuant to adjournment.

Mr. Alderson, from a standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have presented to his excellency the Governor, for his approval and signature, bills of the following titles, viz:

An act permanently to establish the seat of justice of Tunica county;

An act to change the time of holding the circuit courts for the counties of Leake and Attalla;

An act to provide for the application of the common school fund that has and may hereafter accrue under an act approved 4th of March 1856, in the county of Marion, and for other purposes;

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, probate judges and and probate clerks of certain counties therein named, approved February 23, 1846;

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State;

An act further to amend the several laws of the State in relation to courts of probate;

An act to change the time of holding the probate courts of the counties of Greene and Wayne;

An act to amend an act entitled an act directing the method of proceeding in courts of equity, against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7, 1822;

An act to extend the times of holding the probate courts in the county of Attalla;

An act to amend the several acts in relation to tippling and retailing;

An act to change the time of holding the probate court of Yalobusha county;

An act for the relief of Silas L. Steen;

An act supplemental to an act passed at the present session of this Legislature, entitled an act to provide for the removal of the seat of justice of Yazoo county;

An act for the better regulation of the State Library;

An act for the relief of Thomas Kirkman, executor of the last will and testament of James Jackson;

An act to regulate the public printing;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

An act to regulate the proceedings of justices' courts in certain cases;

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

An act to authorize the voters of Coahoma county to permanently locate their county seat;

An act for the relief of George Holly;

A resolution of the Legislature of the State of Mississippi to furnish the Governor of Texas two copies of Howard and Hutchinson's Digest;

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county, Tennessee, certain property of his wards, Mary V., Phillip D., Beverly M., and John B. Lacy;

An act to amend an act entitled an act to change the time of holding the probate court of Coahoma county, approved Jan'y. 22, 1848;

A resolution in relation to Howard and Hutchinson's Digest;

An act to limit the powers of the Librarian and Keeper of the Capitol;

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

An act concerning the Hernando Female Academy, in De Soto county;

A message from the Senate:

MR. SPEAKER—The Senate have passed a bill of the following title, to wit:

A bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, passed 4th March, 1846;

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Neill,

Leave of absence was granted Mr. Whitmore, for the remainder of the session.

The Senate bill entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, passed March 4, 1846;

Was read the first time,

On motion of Mr. Ellis,

The rule was suspended,

And the bill read the second time.

Mr. Bond offered the following amendment:

Amend, by adding to section 4, the counties of Harrison, Hancock, and Covich;

Which was adopted.

On motion of Mr. Ellis,

The amendments were considered as engrossed,

The bill read the third time,

And passed as amended.

The House resumed the consideration of the bill making certain appropriations therein named, in committee of the whole;

Mr. Wall in the Chair.

After sometime spent therein, the committee rose and reported the bill back to the House with sundry amendments thereto, and asked to be discharged from the further consideration of the same;

Which was received and agreed to.

The Speaker presented to the House the account of the Public Printers, for printing done for the Legislature at the present session, as an amendment to the bill:

The State of Mississippi,

1848.

To Price & Fall,

Dr.

For printing done for the House of Representatives, as follows:

300 copies names of members, with counties in alphabetical order,

\$15 00

200 do do do 10 00

2500 copies of Governor's message, 16 pages, \$1 35

for first 500, and \$1,00 per page for each additional 500 copies,

85 00

200 copies rules stitched and covered, 30 00

500 " receipts for pay of members, 20 00

250 yeas and nays, 12 50

250 do do (corrected) 10 00

2500 copies Governor's message and accompanying documents, containing 36 pages plain matter, at

\$1.35 for the first 500, and \$1.00 per page for each succeeding 500 copies,	192 60
161 pages rule and figure, including table, at \$2.70 for first 500 copies, and \$2.00 for each succeeding 500 copies,	1722 70
9 pages of figure work at \$2.02½ for first 500 copies, and 50 per cent added for each additional 500 copies,	64 23
Special message of Governor Brown, 500 copies	12 50
100 copies letter in relation to the blind,	7 50
300 copies memorial of Trustees of State University,	7 50
200 copies of letter of Judge Thatcher on Normal schools,	7 50
500 copies Virginia resolutions,	7 50
300 yeas and nays,	10 00
500 copies Auditor's (Swan's) report,	14 50
300 blank pay warrants,	10 00
250 copies common school report from Secretary of State,	7 50
1000 copies of Governor Matthews inaugural address	17 50
500 copies of Auditor Swann's report, accompanied by letter of J. E. Matthews,	17 50
5000 copies of Gov. Matthews special message,	175 60
300 copies yeas and nays,	10 00
1000 " report joint committee on accounts,	25 00
200 copies of report of commissioner on Sinking Fund,	64 80
300 yeas and nays,	10 00
House bill No. 1, 4 pages, at \$2.10,	8 40
do " " 2, 2 " "	4 20
do " " 3, 4 " "	8 40
do " " 5, 6 " "	12 60
do " " 4, 9 " "	21 00
do " " 6, 12 " "	26 40
do " " 7, 6 " "	12 60
do " " 8, 4 " "	8 40
do " " 9, 8 " "	16 80
do " " 10, 12 " "	25 20
do " " 11, 8 " "	16 80
Senate bill ordered by the House, 4 pages,	8 40

Amount bill paid for folding and stitching,	179 00
Total,	\$2,914 93
For printing at present session of the House:	
Report and bill of military committee,	8 10
	\$2,923 03

Which was adopted.

Mr. Connell offered an amendment by way of an additional article in favor of L. Julienne;

Which was adopted.

Mr. Liddell offered an amendment by way of an additional article;

Which was adopted.

The appropriations having been increased, the House,

On motion of Mr. Catchings,

Resolved itself into committee of the whole, forthwith,

Mr. Wall in the chair.

After sometime spent therein, the committee rose, reported the bill back to the House and recommended its passage;

Which was received and agreed to,

On motion of Mr. Whitfield,

The amendments were considered as engrossed,

And the bill read the third time,

And passed with its title as stated.

A message from the Senate:

MR. PRESIDENT—The Senate have passed bills from the House of Representatives of the following titles, to wit:

A bill to be entitled,

An act for the relief of Thomas T. Higgenbotham;

A bill to be entitled,

An act declaring Yallobusha river a navigable stream;

A bill to be entitled,

An act to legalize the proceedings of a term of the probate court held on the 3d and 4th days of February, A. D. 1848, in Winston county;

A bill to be entitled,

An act to establish and secure a ferry across the Back Bay of Biloxi, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have concurred in the amendment made by the House of Representatives to a Senate bill to be entitled,

An act to increase the compensation of the district attorneys of the State;

And have receded from their amendment made to the House bill to be entitled,

An act to incorporate the Columbas Female Institute, in the town of Columbus, in the county of Lowndes;

And have adopted a resolution from the House of Representatives, to be entitled, a resolution requiring the Secretary of State to furnish certain books to certain officers therein named, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed a bill of the following title to wit:

A bill to be entitled,

An act for the more effectual collection of the funds of the State;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed bills from the House of Representatives of the following titles, to wit:

A bill to be entitled,

An act to amend the 4th and 7th sections of an act entitled an act to incorporate the town of Middleton, in the county of Carroll, approved 22d February, 1840;

A bill to be entitled,

An act to amend the law relative to the election of electors of President and Vice-President of the United States;

The Senate have concurred in the amendment made by the House of Representatives to a Senate bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, passed 4th March, 1846;

And have made an amendment to a House bill to be entitled,

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yallobusha, Winston, and Covington;

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Brooke,
 The Senate bill entitled,
 An act to provide for the sale of lands purchased by the State
 at tax sales;

Was called from the table.

Mr. Brooke offered an amendment as an additional section;
 Which was adopted.

On motion of Mr. Brooke,
 The amendment was considered as engrossed,
 The bill read the third time,
 And passed as amended.

On motion of Mr. West of Holmes,
 The House concurred in the amendment made by the Senate to
 a House bill entitled,

An act to amend and alter the militia laws of this State.

The special order entitled,

An act to prohibit trespass on the State, school and individual
 lands of the State, and for other purposes,

Was read the third time,

And passed with its title as stated.

On motion of Mr. Simrall,
 The Senate bill entitled,
 An act to provide for the payment of the Planters Bank bonds
 and coupons, issued by the State on account of the Planters Bank,
 was called up,

And read the first time.

On motion of Mr. Liddell,
 The rule was suspended,
 The bill read the second and third time forthwith.

The question was then taken on the passage of the bill,

And decided in the affirmative by ayes and noes as follows:

YEAS—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Bardin,
 Brooke, Bynum, Campbell of De Soto, Campbell of Franklin,
 Carroll, Catchings, Collier, Davis, Dilworth, Echols, Ellis, Foote
 of Noxubee, Foote of Tippah, Ford, Fortson, Garrett, Gatlin,
 Godfrey, Hall, Hamer, Hancock, Henry, Hill, Hinds, Houston,
 Huie, Johnston, Liddell, Lynch, Mason, McAfee, McInnis,
 McLaurin, McWilliams, Nailor, Neely, Neill, Noble, Phillips,
 Powell, Ray, Sanders, Simrall, Slade, Smith, Stanton, Steele,

Steger, Suratt, Thames, Thomas of Marshall, Thomas of Yazoo, Toulme, Valentine, Weathersby, Weir, West of Holmes, Whitfield, Whitmore, Wilds, Wilson, and Yerger—66.

NAYS—Messrs. Bond, Duke, Holden, Melton, Metcalf—5.

On motion of Mr. Foote of Noxubee,

The House concurred in the amendments made by the Senate to a House bill entitled,

An act to repeal an act to establish a system of common schools and for other purposes, approved March 4, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington.

On motion of Mr. Yerger,

The House bill entitled,

An act to amend an act to incorporate the Commercial Rail Road Bank of Vicksburg, was called from the orders of the day, And read the second time.

Mr. Dilworth offered an amendment by way of an additional section;

Which was adopted.

Mr. Yerger moved that the bill and amendments be considered as engrossed, the rule suspended, to the end that the bill might be read a third time; which was lost.

A message from the Senate:

MR. SPEAKER—The Senate have passed bills from the House of Representatives of the following titles, to wit:

A bill to be entitled,

An act to provide for leveeing the Mississippi river in the counties of Tunica and Desoto;

A bill to be entitled,

An act to regulate the time of holding the probate court of Simpson county.

The Senate have adopted a series of resolutions herewith submitted;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have passed a bill from the House of Representatives of the following title, to-wit:

A bill to be entitled,

An act to incorporate the town of Decatur in the county of Newton.

The Senate has concurred in the resolution from the House of Representatives raising a committee to draft resolutions expressive of the feelings of this Legislature in relation to the death of the Hon. John Q. Adams, and have appointed on the part of the Senate Messrs. Hodges, Stone and Labauve.

The following message was received from his Excellency the Governor, by Mr. Jones his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

An act to reduce the per centage of the county treasurer of the county of Harrison so far as relates to the common school fund;

An act to reduce the per diem allowance of the members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

An act for the relief of Jefferson J. Hughes;

An act to reduce the per diem allowance of the boards of police of Jackson county;

Approved March 2, 1848.

An act to extend the time of holding the Probate courts of the county of Attala;

An act to amend the several acts in relation to tippling and retailing;

An act to amend an act entitled an act directing the method of proceeding in courts of equity, against absent debtors, and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1822;

An act to change the time of holding the Probate courts of the counties of Greene and Wayne;

An act to change the time of holding the probate court of Yalobusha county;

An act supplemental to an act passed at the present session of this Legislature, entitled an act to provide for the removal of the seat of justice in Yazoo county;

An act for the better regulation of the State Library.

Approved March 3, 1848.

A message from the Senate:

MR. SPEAKER—The Senate have passed a bill from the House of Representatives of the following title, to-wit:

A bill to be entitled,

An act to incorporate the Pleasant Hill male and female academy in the county of Jasper.

The Senate bill entitled,

An act to prevent the obstruction of navigable streams,

Was read the first time.

On motion of Mr. Foote of Noxubee,

The rule was suspended,

The bill read the second and third time, forthwith,

And passed with its title as stated.

On motion of Mr. Whitfield,

The House took a recess until half past 7 o'clock.

HALF PAST SEVEN O'CLOCK, P. M.

The recess having expired,

The House resumed its session.

On motion of Mr. Alderson,

The bill to be entitled,

An act to revise and amend the stray laws, was called from the table.

Mr. Bond offered an amendment by way of an additional section; Which was adopted.

On motion of Mr. Alderson,

The bill and amendment was considered as engrossed,

The bill read the third time,

And passed as amended.

On motion of Mr. Bond,

The House concurred in the amendments made by the Senate to a House bill entitled,

An act to establish and license a ferry across the Back Bay of Biloxi.

The Senate bill entitled,

An act for the benefit of the convicts in the penitentiary,

Was read the first time.

The Senate bill entitled,

An act to prevent accidents and injuries from the sale and use of secret medicines,

Was read the first time.

Mr. Byrn moved to reject the bill;

Which was lost.

Mr. Nailor asked for a suspension of the rule;

Which was refused.

The Senate memorial of the Legislature to the Congress of the United States, praying a change of the system of transporting the mail,

Was read the first time.

On motion of Mr. Catchings,

The rule was suspended,

The memorial read the second and third time forthwith and passed.

The Senate bill entitled,

An act to provide compensation for registering the 500,000 acres of land,

Was read the first time.

On motion of Mr. Liddell,

The clerk of the House was instructed to report the bill back to the Senate to have it properly certified.

The Senate bill entitled,

An act to amend the practice in the Superior and District Courts of Chancery in this State,

Was read the first time.

On motion of Mr. Brooke,

The rule was suspended,

The bill read a second and third time, forthwith.

And passed with its title as stated.

On motion of Mr. Dilworth,

The House concurred in the amendments made by the Senate to a House resolution relative to the discharged soldiers of the 1st Mississippi Rifles.

The Senate bill entitled,

An act to provide for the appointment of deputy clerks in vacation,

Was read the first time.

On motion of Mr. Hancock,

The rule was suspended,

And the bill read a second and third time forthwith,

And passed with its title as stated.

The Senate bill entitled, an act to establish a Lunatic Asylum,
Was read the first time.

Mr. Catchings asked for a suspension of the rule;
Which was refused.

The Senate bill entitled an act to amend the practice of the several courts of this State, was read the first time.

Mr. Brooke asked for a suspension of the rules; which was refused.

Mr. Dilworth moved that the House recede from their amendment made to a Senate bill entitled,

An act to amend the act regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26, 1843, and Feb. 28, 1846.

Mr. McWilliams moved that the bill and amendment be laid on the table;

Which was decided in the affirmative by ayes and noes as follows, to-wit:

YEAS—Mr. Speaker, Messrs. Abbott, Bond, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Cleveland, Dampier, Duke, Echols, Ellis, Gatlin, Hancock, Hill, Hinds, Holden, Lynch, McAfee, McWilliams, Melton, Metcalf, Neill, Ray, Sanders, Steele, Suratt, Thames, Trigg, Valentine, Wall, Weathersby, Wilds, and Wilson—33.

NAYS—Messrs. Alderson, Arnold, Bardin, Brooke, Catchings, Connell, Cypert, Dilworth, Ford, Fortson, Garrett, Hall, Hamer, Hogue, Huie, Mason, McInnis, McLaurin, Nailor, Neely, Noble, Phillips, Steger, Smith, Thomas of Marshall, Toulme, Weir, West of Holmes, Whitfield, and Yerger—31.

On motion, The House adjourned until 10 o'clock to-morrow.

SATURDAY, MARCH 4, 1848.

The House met pursuant to adjournment.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined, bills of the following titles, to wit:

An act to amend an act entitled an act to establish a system of common schools and for other purposes, approved 4th Mar. 1846;

An act for the relief of John T. Johnson;

An act to authorize the president and directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive Department of the State, and for other purposes;

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the first regiment of Mississippi Rifles;

An act to regulate the time of holding the probate court in Simpson county;

An act to amend the law relative to the election of electors of President and Vice President of the United States;

An act to incorporate the town of Decatur, in the county of Newton;

An act to legalize the proceedings of a term of the probate court held on the third and fourth days of February, A. D. 1848, in Winston county;

An act to amend and alter the militia laws of this State;

An act to incorporate the female institute in the town of Columbus, in the county of Lowndes;

An act to amend the fourth and seventh sections of an act entitled an act to incorporate the town of Middleton in Carroll county, approved 22d Feb., 1840;

An act declaring the Yallobusha river a navigable stream;

An act to be entitled an act to incorporate the Pleasant Hill Male and Female Academy, in the county of Jasper;

An act for the relief of Thomas T. Higenbotham;

A resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the 1st Mississippi Rifles;

A resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

An act to increase the compensation of the district attorneys of the State.

An act to amend an act, entitled an act to establish a system of common schools, and for other purposes, passed 4th March, 1846;

An act to provide for and establish common schools in the counties of Hinds, Holmes, Amite, Tunica, Jefferson, Wilkinson and Lawrence;

And have found the same correctly enrolled.

A message from the Senate:

MR. SPEAKER—The President of the Senate has signed

A resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

An act to amend the 4th and 7th sections of an act, entitled an act to incorporate the town of Middleton, in Carroll county, approved 22nd February, 1840;

A resolution of the Legislature of the State of Mississippi relative to the discharged soldiers of the first Mississippi rifles;

An act to regulate the time of holding the Probate court of Simpson county;

An act to incorporate the town of Decatur, in the county of Newton;

An act to incorporate the Pleasant Hill male and female academy, in the county of Jasper;

An act to amend the law relative to the election of Electors of President and Vice-President of the United States;

An act to legalize the proceedings of a term of the probate court held on the third and fourth days of Feb. A. D. 1848, in Winston county;

An act to amend and alter the militia laws of this State;

An act declaring the Yalobusha River a navigable stream;

An act for the relief of Thomas T. Higinbotham;

An act to incorporate the Columbus Female Institute, in the town of Columbus, in the county of Lowndes;

MR. SPEAKER—The Senate has concurred in the amendments made by the House of Representatives to a Senate bill to be entitled,

An act to amend the Penitentiary code of this State, and for other purposes, and have made sundry amendments thereto;

In which I am instructed to desire the concurrence of the House of Representatives.

The Senate have given leave to the introduction of a bill of the following title, to wit:

A bill to be entitled,

An act to provide for a Geological survey of the State of Mississippi;

The Senate have concurred in the amendments made by the House of Representatives to a Senate bill to be entitled,

An act to provide for the sale of lands purchased in the State at tax sales.

On motion of Mr. Liddell,

The House concurred in the amendments made by the Senate to the amendments made by the House to a Senate bill entitled, an act to amend an act entitled an act relative to the Penitentiary code of this State."

Mr. Wooldridge, from a standing committee, made the following report:

MR. SPEAKER—The standing committee on military affairs having had under consideration the bill granting pensions to the destitute officers and soldiers of the Mississippi volunteers and troops, beg leave to report, by their chairman, that though they are friendly to the objects of the bill, and will, whenever the proper time arrives, manifest that friendship, they are of opinion, that the passage of the bill is premature at the present time. There are no petitions before the committee praying for such a law, and it is believed, that such is the patriotic feeling of the people, that such a law is uncalled for. If, unfortunately, public feeling should subside, and these worthy individuals should be neglected, the Legislature, it is not doubted, will promptly afford relief. For these reasons I am instructed to report against the bill, and ask to be discharged from the consideration thereof;

Which was received and agreed to.

A message from the Governor:

MR. SPEAKER—I am instructed by his excellency the Governor, to inform the House that he has approved and signed the following bills, to-wit:

An act for the relief of Thomas Kirkman, executor of the last will and testament of James Jackson;

An act to extend the times of holding the probate courts of the county of Attalla;

An act for the relief of Silas L. Steen;

An act further to amend the several laws of the State in relation to the courts of Probate;

An act to regulate the Public Printing,

Approved March 3d, 1848.

The Senate bill entitled,

An act to authorize certain alterations in the office of the Auditor and Treasurer,

Was called up and read the first time.

On motion of Mr. Lynch,

The rule was suspended,

And the bill read the second time.

Mr. Whitfield offered the following amendment:

Amend 5th section, by striking out fifty dollars, and inserting seventy-five dollars;

Which was adopted.

On motion of Mr. Whitfield,

The House resolved itself forthwith into committee of the whole on said bill;

Mr. Ford in the Chair.

After sometime spent therein, the committee rose, reported the bill back to the House without amendment, and recommended its passage;

Which was received and agreed to.

On motion of Mr. Whitfield,

The vote taken on the adoption of this amendment was reconsidered,

And the amendment withdrawn.

On his further motion,

The rule was suspended,

The bill read the third time,

And passed with its title as stated.

On motion of Mr. Campbell of Desoto,

The report of the joint standing committee on State and Federal relations, accompanied with a series of resolutions by the Legislature of the State of Mississippi, in relation to the war with Mexico,

Was called up and read the first time.

Mr. Campbell asked for a suspension of the rules,

Which was refused.

Mr. Brooke moved that the vote just taken be reconsidered.

On motion of Mr Campbell of Desoto,

The rule was suspended,

And the resolutions read a second and third time,

And passed.

A message from the Senate:

MR. SPEAKER—The Senate has passed bills from the House of Representatives of the following titles to wit:

A bill to be entitled,

An act to incorporate the Enterprise Academy, in the county of Clarke;

A resolution requiring the boards of police of the several counties, to fix the county levees;

A bill to be entitled,

An act to reduce the per diem allowance of the Probate Judge and Probate Clerk of the county of Neshoba;

The Senate have adopted the joint resolutions of the following titles, to wit:

A resolution of the Legislature of the State of Mississippi in relation to the death of the Hon. John Quincy Adams;

A resolution in relation to the Secretary of the Senate, &c.,

In which I am instructed to desire the concurrence of the House of Representatives.

On motion of Mr. Simrall,

The Senate bill entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks, &c.;

Was called from the table.

Mr. Catchings moved that the House recede from their amendments to said bill.

Which was decided in the affirmative by yeas and nays, as follows:

YEAS—Messrs. Alderson, Arnold, Bardin, Brooke, Catchings, Collier, Connell, Cushman, Dilworth, Duke, Foote of Tippah, Ford, Fortson, Garrett, Hall, Hamer, Henry, Huie, Johnston, Liddell, Mason, McInnis, Metcalf, Nailor, Neely, Phillips, Simrall, Smith, Slade, Stanton, Thomas of Marshall, Toulme, Valentine, Weir, West of Wayne, West of Holmes, Whitfield, and Yerger.

NAYS—Mr. Speaker, Messrs. Abbott, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Dampier, Davis, Echols, Ellis, Gatlin, Hancock, Hill, Hinds, Holden, Lynch, McWilliams, Melton, Neill, Ray, Steele, Suratt, Thames, Thomas of Yazoo, Trigg, Wilds, Wilson, and Wooldridge—30.

Mr. Dilworth offered the following resolution:

Resolved, (with the concurrence of the Senate) That a joint committee of five, on the part of the House, and ———, on the part of the Senate, be appointed to wait on his excellency the Gover-

nor, and inform him that the two Houses have discharged all the business before them, and are now ready to adjourn sine die, and ascertain of him whether he has any further communications to present to the Legislature.

On motion of Mr. Dilworth,

The rule requiring joint resolutions to lie one day on the table, was dispensed with, and the resolution read the second time and adopted.

The Chair appointed as said committee, on the part of the House, Messrs. Dilworth, Ellis, Henry, Hall, and Campbell of Franklin.

On motion of Mr. McWilliams,

Resolved, vnanimously, That the thanks of this House are due to the Hon. John J. McRae, for the able, dignified, and impartial manner in which he has presided over its deliberations during the present session.

On motion of Cushman,

The Senate bill entitled,

An act to authorize a change of venue in certain cases;

Was called from the orders of the day, and read the second time.

On his motion,

The rule was suspended,

The bill read the third time forthwith,

And passed with its title as stated.

On motion of Mr. Yerger,

The House bill entitled,

An act to amend an act entitled an act to incorporate the Commercial and Rail Road Bank,

Was called from the orders of the day.

Mr. Yerger offered the following amendment:

Provided, further, That nothing contained in this act shall affect any previous cause of forfeiture, which said bank may have incurred;

Which was adopted,

On motion of Mr. Yerger,

The amendment was considered as engrossed,

And the bill read the third time.

Mr. Hamer moved to lay the bill on the table;

Which was sustained.

The Senate resolution in relation to the Secretary of the Senate and Clerk of the House,

Was read the first time.

On motion of Mr. Walker,

The rule was suspended,

The resolution read the second and third time,

And adopted.

The Senate resolution in relation to the death of the Hon. John Q. Adams,

Was read the first time.

On motion of Mr. Cypert,

The rule was suspended,

The resolution read the second and third time,

And adopted.

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature, bills of the following titles, viz:

An act for the relief of Thomas T. Higenbotham;

An act declaring the Yalobusha river a navigable stream;

An act to amend the law relative to the election of electors of President and Vice President of the United States;

An act to incorporate the Columbus Female Institute, in the town of Columbus, in the county of Lowndes;

An act to amend and alter the militia laws of this State;

An act to legalize the proceedings of a term of the Probate Court held on the 3d and 4th days of February, 1848, in Winston county;

An act to incorporate the Pleasant Hill Male and Female Academy in the county of Jasper;

An act to incorporate the town of Decatur in the county of Newton;

An act to regulate the time of holding the Probate Court in Simpson county;

An act to amend the fourth and seventh sections of an act, entitled an act to incorporate the town of Middleton in Carroll county, approved 22d February, 1840;

A resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

A resolution of the legislature of the State of Mississippi relative to the discharged soldiers of the first Mississippi rifles;

An act to amend an act, entitled an act, to establish a system of common schools and for other purposes, approved 4th March, 1846;

An act for the relief of the officers and privates of Company 'I' of the Marshall Guards of the first regiment of Mississippi rifles;

An act for the relief of John T. Johnston;

An act to provide for and establish common schools in the counties of Hinds, Holmes, Amite, Tunica, Jefferson, Wilkinson and Lawrence;

An act to authorise the President and directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

An act to increase the compensation of the District Attorneys of the State;

An act to amend an act entitled an act to establish a system of common schools and for other purposes, approved 4th March, 1846.

And have also examined bills of the following titles:

An act to establish and secure a ferry across the back Bay of Biloxi;

An act to provide for leveeing the Mississippi river in the counties of Tunica and De Soto;

An act to repeal an act to establish a system of common schools and for other purposes, approved March 4, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington;

And have found the same correctly enrolled.

The Senate bill entitled,

An act to repeal the fourth section of an act entitled an act to suppress the odious practice of drunkenness &c.,

Was read the first time.

On motion of Mr. Byrn,

The rule was suspended,

The bill read a second and third time forthwith.

Mr. Metcalf offered an amendment as a ryder, by way of additional section;

Which was read the first time.

On motion of Mr. Slade,

The ryder was laid on the table.

The question was then taken on the passage of the bill,
And decided in the affirmative.

Mr. Alderson, from the joint standing committee on enrolled bills made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day examined bills of the following titles, viz:

An act to amend the practice in the Superior and District Courts of Chancery in this State;

An act to amend the practice of the several Courts of this State;

An act to provide for the appointment of deputy clerks in vacation;

An act to provide for the sale of lands purchased by the State at tax sales;

An act to provide for the payment of the Planters Bank bonds and coupons issued by the State on account of the Planters Bank;

An act to prevent the obstruction of navigable streams;

An act to authorise certain alterations in the office of Auditor and Treasurer;

And have found the same correctly enrolled.

On motion of Mr. Walker,

The House took a recess until 3 o'clock.

THREE O'CLOCK, P. M.

The recess having expired the House resumed its session.

On motion of Mr. Liddell,

The Senate bill for the relief of Mary Matauer,

Was called from the orders of the day,

And read the second time.

On his further motion,

The rule was suspended,

The bill read the third time forthwith,

And passed with its title as stated.

On motion of Mr. Campbell of De Soto,

The Senate bill entitled,

An act to authorise the Grand Gulf Rail Road and Banking Company to sell their rail way,

Was called from the orders of the day,

And read the third time, and passed.

A message from the Senate:

MR. SPEAKER—The Senate have concurred in all the amendments made by the House of Representatives to a Senate bill to be entitled an act making certain appropriations therein named, except the following, to-wit:

Article. To R. H. Boone, T. Jones Stewart, A. B. Wooldridge, P. Henry, and Robert Stanton, sub-committee on the part of the Legislature, to visit Generals Taylor and Quitman, and present them the preamble and resolutions of the two Houses, inviting them to visit the city of Jackson as the guests of the State, the sum of thirty dollars each, \$150 00;

In which the Senate have refused to concur.

And have amended the amendment to article forty-three by striking out "cents" and inserting "dollars" in the last line thereof; and have made sundry other amendments to the amendments made by the House of Representatives;

In which I am instructed to desire the concurrence of the House of Representatives;

And have passed House bills of the following titles, to-wit:

A bill to be entitled,

An act declaring Little Sunflower and other streams navigable;

A bill to be entitled,

An act to repeal an act entitled an act to authorise the county police of Tunica county to levy a special tax.

A bill to be entitled,

An act to incorporate the Deer Creek Navigation Company;

MR. SPEAKER—The President of the Senate has signed

An act to provide for levying the Mississippi River in the counties of Tunica and De Soto;

An act to establish and secure a ferry across the Back Bay of Biloxi;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington;

Mr. Ford moved to call from the orders of the day the Senate bill entitled,

An act to establish a Lunatic Asylum for the State of Mississippi;

Which was decided in the affirmative by ayes and noes as follows:

YEAS—Mr. Speaker, Messrs. Alderson, Brooke, Brown, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Cleveland, Collier, Cushman, Dampier, Davis, Duke, Echols, Ellis, Ford, Gatlin, Hall, Hamer, Henry, Hill, Houston, Johnston, Liddell, Mason, McInnis, Metcalf, Nailor, Neill, Noble, Phillips, Powell, Ray, Simrall, Slade, Smith, Stanton, Steele, Thames, Thomas of Marshall, Wall, Weir, West of Holmes, Whitfield, Wilson, Wooldridge and Yerger—47.

NAYS—Messrs. Abbott, Arnold, Bardin Dilworth, Foote of Tippih, Garrett, Melton, Neely, Suratt—9.

On motion of Mr. Ford,

The rule was suspended,

And the bill read the second time.

The House resolved itself forthwith into committee of the whole on said bill, Mr. Wall in the chair.

After some time spent therein,

The committee rose, and reported the bill back to the House without amendment and recommended it do pass;

Which was received and agreed to.

Mr. Ford moved a further suspension of the rules, to the end that the bill might be read a third time, and put upon its passage;

Which was decided in the affirmative by ayes and noes as follows, to-wit:

AYES—Mr. Speaker, Messrs. Alderson, Brooke, Brown, Bynum, Byrn, Campbell of Desoto, Campbell of Franklin, Carroll, Catchings, Cleveland, Collier, Cushman, Dampier, Davis, Duke, Echols, Ellis, Ford, Fortson, Gatlin, Hall, Hamer, Hancock, Henry, Hill, Houston, Johnston, Liddell, Mason, McInnis, Metcalf, Nailor, Neill, Noble, Phillips, Powell, Ray, Simrall, Slade, Smith, Stanton, Steele, Thames, Thomas of Marshall, Wall, Weir, West of Holmes, Whitfield, Wilson, Wooldridge and Yerger—52.

NOES—Messrs. Abbott, Arnold, Bardin, Dilworth, Foote of Tippih, Garrett, Melton, Neely, Suratt—9.

The bill was then read the third time,

And passed with its title as stated.

On motion of Mr. Whitfield,

The House resolved itself into committee of the whole on the amendments made by the Senate to the appropriation bill, Mr. Wall in the chair.

After some time spent therein,

The committee rose, reported the same back to the House without amendment, and recommended the concurrence of the House in the Senate amendments;

Which was received and agreed to.

On motion of Mr. Whitfield,

The House concurred in the Senate amendments.

On motion of Mr. Whitfield,

The House receded from their amendment made to the bill relative to an appropriation to R. H. Boone and others, a committee to visit Gen. Taylor.

A message from the Governor, through Mr. Jones, his private secretary:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has approved the following bills, to-wit:

An act to incorporate the town of Decatur in the county of Newton;

Resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

An act to legalize the proceedings of a term of the probate court held on the third and fourth days of February, A. D. 1848, in Winston county;

An act to be entitled an act to incorporate the Pleasant Hill male and female academy, in the county of Jasper;

A resolution of the Legislature of the State of Mississippi relative to the discharged soldiers of the 1st Mississippi Rifles;

An act to amend the law relative to the election of electors of President and Vice President of the United States;

An act to incorporate the Columbus Female Institute in the town of Columbus, in the county of Lowndes;

An act to regulate the time of holding the probate court in Simpson county;

An act for the relief of Thomas T. Higgenbotham;

An act to amend the fourth and seventh sections of an act entitled an act to incorporate the town of Middleton, in Carroll county, approved 22d February, 1840;

An act declaring the Yalobusha River a navigable stream;

An act to regulate the time of holding the probate court in Simpson county. Approved March 4, 1848.

An act to amend and alter the Militia laws of this State;

Approved March 4, 1848.

Mr. Alderson from a joint standing committee made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend the practice in the Superior and District courts of Chancery in this State;

An act to provide for the appointment of deputy clerks in vacation;

An act to provide for the sale of the lands purchased by the State at tax sales;

An act to amend the practice of the several courts of this State;

An act to authorize certain alterations in the offices of the Auditor and Treasurer;

An act to prevent the obstruction of navigable streams;

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank;

An act to provide for the levying the Mississippi River in the counties of Tunica and De Soto;

An act to establish and secure a ferry across the Back Bay of Biloxi;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington;

The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act to incorporate Enterprise Academy, in the county of Clarke;

An act to reduce the per diem allowance of the probate judge and probate clerk of the county of Neshoba;

A resolution requiring the boards of police of the several counties to fix the county levies;

An act to amend the act regulating the mode of proceeding against incorporated banks, for a violation of their corporate franchises, approved February 28th, 1846;

An act to provide for a committee for the examination of the

books of the Auditor of Public Accounts, Treasurer and Executive Department of this State, and for other purposes;

A resolution of the Legislature of the State of Mississippi in relation to the Mexican war;

An act to authorize the change of venue in certain cases;

And have found the same correctly enrolled.

On motion of Mr. Whitfield,

The House adjourned until half past seven o'clock.

HALF AFTER 7 O'CLOCK, P. M.

The House met pursuant to adjournment.

A message from the Senate:

MR. SPEAKER—The President of the Senate has signed

An act to incorporate the Enterprize Academy in the county of Clarke;

An act to reduce the per diem allowance of the probate judge and probate clerk of Neshoba county;

A resolution requiring the boards of police of the several counties to fix the county levies;

The Senate bill entitled,

An act in relation to taxes of lands in this State;

Was read the first time.

On motion of Mr. Thomas of Marshall,

The rule was suspended,

The bill read the second and third time forthwith,

And passed with its title as stated.

Mr. Ford moved to call up the Senate bill entitled,

An act to abolish the office of State Commissioner;

Which was refused.

A quorum not voting, Mr. Ford moved for a call of the House;

Which was sustained.

On motion of Mr. Hamer,

The further call of the House was suspended, a quorum being present.

Mr. Ford moved to call up the Senate bill entitled,

An act to abolish the office of State Commissioner;

Which was refused by yeas and nays as follows:

YEAS—Messrs. Alderson, Brooke, Bynum, Collier, Foote of Noxubee, Ford, Fortson, Godfrey, Hall, Hamer, Hancock, Henry, Johnston, Mason, Nailor, Neely, Neill, Noble, Powell, Simrall,

Smith, Thomas of Marshall, Thomas of Yazoo, Weir, West of Holmes, Whitfield and Yerger—27.

NAYS—Mr. Speaker, Messrs. Abbott, Arnold, Bardin, Brown, Byrn, Campbell of Franklin, Carroll, Cleveland, Dampier, Dilworth, Duke, Ellis, Hill, Liddell, Melton, Metcalf, Phillips, Ray, Stanton, Steele, Suratt, Thames, Toulme, Wall, Wilds and Wilson—27.

On motion of Mr. Dilworth,

The House concurred in the Senate resolution appointing a joint select committee of 3 on the part of the Senate, and — on the part of House, to inform the Governor that they have finished their legislative business, and know of him if he has any further communication to make.

The Chair appointed as said committee on the part of the House Messrs. Dilworth, Ellis, Henry, Thomas of Marshall, Thames.

Mr. Alderson from a joint standing committee made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved February 28th, 1846;

A resolution of the Legislature of the State of Mississippi, in relation to the Mexican war, &c.;

A resolution of the Legislature of the State of Mississippi, in relation to the death of the Hon. John Quincy Adams;

An act to authorize a change of venue in certain cases;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive department of this State, and for other purposes;

A resolution in relation to the Secretary of the Senate, &c.

The joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to repeal an act entitled an act to authorize the county police of Tunica county, to levy a special tax;

An act to declare Little Sunflower and other streams navigable.

An act to incorporate the Deer Creek Navigation Company;

An act to repeal the 4th section of an act, entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, praying a change in the system of transporting the mails;

An act for the relief of Mary Mattauer a woman of color, the wife of Henry Mattauer, a free man of color;

An act in relation to taxes of lands in the State;

And have found the same correctly enrolled.

A message from the Senate:

MR. SPEAKER—I am instructed to inform the House of Representatives that the Senate have adopted the following resolution, to-wit:

Resolved, That a committee of three, on the part of the Senate, and ———, on the part of the House, be appointed to inform the Governor that they have now completed their legislative business, and know of him if he has anything further to communicate;

And have appointed, on the part of the Senate, Messrs. Labauve, Cannon, and Lake.

The President of the Senate has signed,

An act to incorporate the Deer Creek Navigation Company;

An act to declare Little Sunflower and other streams navigable;

An act to repeal an act entitled an act to authorize the county police of Tunica county to levy a special tax;

Mr. Alderson, from the joint standing committee on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills have this day presented to his excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the Deer Creek Navigation Company;

An act to repeal an act entitled an act to authorize the county police of Tunica county, &c.

An act declaring Little Sunflower and other streams navigable;

Mr. Alderson, from the joint standing committee, on enrolled bills, made the following report:

MR. SPEAKER—The joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to establish a lunatic asylum for the State of Mississippi;

An act making certain appropriations therein named;
And have found the same correctly enrolled.

And have also presented to the Governor for his approval and signature,

An act to establish a Lunatic Assylum for the State of Mississippi;

An act making certain appropriations therein named.

A message from the Governor:

MR. SPEAKER—I am instructed by his Excellency the Governor, to inform the House that he has approved and signed

An act to incorporate the Deer Creek Navigation Company.

Mr. Dilworth, from a joint select committee, made the following report:

MR. SPEAKER—The joint committee have in pursuance of the order of the two houses, waited upon his excellency the Governor, and informed him that the legislature had finished the business of the session, and to ask him if he had any communication to make, and received for answer, that he had no further communication to make to the legislature;

Which was received and agreed to.

A message from the Senate:

MR. SPEAKER—The Senate have adopted the following resolution:

Resolved, That the secretary inform the House of Representatives that the Senate have completed its business and are now ready to adjourn *sine die*.

On motion of Mr. Thomas of Yazoo,

Resolved, That the thanks of this House are due to E. P. Russell and all his assistants for their promptness and despatch in the discharge of their respective duties.

The Speaker arose and delivered the following address:

GENTLEMEN—Before adjourning this House, for the last time, I must return to you, gentlemen of the House of Representatives, my most grateful thanks for the complimentary resolution which I find upon the Speaker's table, in which you have been pleased to convey, in flattering terms, your approval of my conduct as your presiding officer; and especially must I thank you for the kindness and courtesy you have always extended towards me as the Speaker of the House.

In no single instance has any member, from the commencement of the session to the present moment, undertaken to embarrass or throw difficulties in the way of the Chair; on the contrary, all have united in aiding and sustaining it. Entering, therefore, without experience, upon the duties of the station, I have found its responsibilities lightened and its labors lessened by the kindness and encouragement which you have at all times given me.

Determined upon a course of impartial justice towards all, I am gratified to be assured by the resolution with which you have honored me, that it is the opinion of the House that such has been my action. And if any members have, at any time, supposed that the imperious mallet of the Chair has fallen too heavily upon them, I assure them, if they had but changed positions with the Speaker, they would at once have seen that it was necessary for the preservation of order and the protection of the House, under the rules which they, themselves, had established for its government.

It is not now a time to speak of the measures upon which we have acted. Many laws have been passed of an important character to the interests of the State, and we have now only to unite in the ardent hope that they may result in her prosperity and the happiness of the people.

Again, I thank you, gentlemen, and am the more flattered for this generous expression of your opinion, because it comes upon the face of the resolution as your unanimous voice. It has been well and beautifully said, that the gloomiest knell which ever rings over the fall from virtue, is to hear of the lost esteem of those we love. It may be said, with equal truth and beauty, that the most cheering tribute which is paid to impartial worth, is the approving reward of those whose good opinions we most esteem; therefore am I doubly sensible of the honor which you have done me.

Being now about to separate, permit me, gentlemen, to express the sincere wishes of my heart for the happiness and success of you all, in future life. On your return to your homes, may you be greeted by the approval of your constituents, the welcome of your friends, the smiles of your children and the devoted affection of attached hearts. Should we never meet again, the associations formed here, in my intercourse with the members, personally, and as Speaker of the House, will be cherished, with me, as a hallow-

ed recollection—and for you, gentlemen, and each of you, there shall ever be a lofty niche in the warm temple of my memory,

Now is the hour of parting come. I bid you all

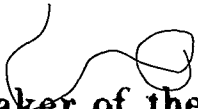
“Farewell! a word that must be, and hath been—

A sound which makes us linger—yet—farewell!”

On motion of Mr. Dilworth,

Resolved, That the clerk inform the Senate that the House of Representatives have completed its business, and are now ready to adjourn *sine die*.

The Speaker arose and announced that in conformity with the joint resolutions passed by the two houses, this House stands adjourned *sine die*.

 **JOHN J. McRAE,**
Speaker of the House of Representatives.

E. P. RUSSELL,

Clerk of the House of Representatives.

A STATEMENT, showing the amount drawn for mileage and per diem compensation, by the members, clerks, door-keepers, and sergeant-at-arms, during the session of the legislature commencing 3rd January, 1848.

Counties.	Names of members.	No. of miles charg'd	Mileage—Compensation.	No. of days charg'd	Per diem compensation.	Total compensation.	Total expense of each county.	Am't over drawn
Adams,	Robert Stanton	r 242	48 40	62	248 00	296 40	296 40	
Amite,	E. M. Davis	s 220	44 00	62	248 00	292 00		
	D. W. Hurst	r 200	40 00	38	152 00	192 00		
	Jehu Wall	r 248	49 60	44	176 00	225 60	709 60	
Attala,	Henry Gray	s 174	34 80	62	248 00	282 80		
	Jas. T. McAfee	r 170	30 00	63	252 00	286 00		4 00
	E. H. Sanders	r 140	28 00	62	248 00	276 00	844 80	
Bolivar,	Jas. B. Smith,	r 600	120 00	62	248 00	368 00		
	J. J. B. White	s 130	26 00	62	248 00	274 00	642 00	
Carroll,	B. Kennedy	s 200	40 00	62	248 00	288 00		
	James Liddell	r 240	48 00	62	248 00	296 00		
	G. F. Neill	r 206	41 20	62	248 00	289 20		
	Joshua Whitmore	r 200	40 00	61	244 00	284 00	1157 20	
Chickasaw,	R. G. Steele	r 350	70 00	62	248 00	318 00		
	Jas. F. Walker	r 310	62 00	62	248 00	310 00		
City Natchez,	Seth C. Cox	r 226	45 20	62	248 00	293 20	293 20	
City Vicksburg,	E. M. Mason	r 94	18 80	62	248 00	266 80	266 80	
Choctaw,	Edward Johnson	s 250	50 00	63	252 00	302 00		4 00
	Geo. Huie	r 250	40 00	62	248 00	298 00		
	M. W. Trigg	r 250	50 00	62	248 00	298 00	898 00	

Claiborne,	Parmenas Briscoe	s	150	30 00	62	248 00	278 00	
	Richard Valentine	r	150	30 00	62	248 00	278 00	556 00
Clark, Copiah,	J. J. McRae (Sp'k.)		200	40 00	62	372 00	412 00	412 00
	P. S. Catchings	s	80	16 00	62	248 00	264 00	
	J. K. Hill	r	86	17 20	62	248 00	265 20	
	John Holden	r	110	22 00	62	248 00	270 00	799 20
Covington,	Jos. McAfee	s	116	23 20	62	248 00	271 20	
	Duncan M. Lauren	r	120	24 00	62	248 00	272 00	543 20
Coahoma,	J. L. Alcorn	s	750	150 00	62	248 00	398 00	
	T. M. Nash	r	750	150 00	56	224 00	374 00	772 00
De Soto,	Felix Labauve	s	440	88 00	62	248 00	336 00	
	Jno. W. Campbell	r	500	100 00	62	248 00	348 00	
	R. C. Hancock	r	500	100 00	61	244 00	344 00	
	J. J. Williams	r	500	100 00	41	164 00	264 00	1292 00
	G. C. Campbell	r	180	36 00	62	248 00	284 00	284 00
	John McGinnis	r	350	70 00	64	256 00	326 00	326 00
	J. B. Toulme	r	400	80 00	62	248 00	328 00	328 00
	Brantley Bond	r	375	70 00	62	248 00	318 00	318 00
Franklin, Green, Hancock, Harrison, Hinds,	John I. Guion	s			62	248 00	248 00	
	T. J. Catchings	r	48	9 60	62	248 00	257 60	
	Ro. White	r	66	13 20	61	244 00	257 20	
	H. G. Johnson	r	20	4 00	62	248 00	252 00	1014 80
Holmes,	D. C. Sharpe	s	150	30 00	62	248 00	278 00	
	Walter Brooke	r	150	30 00	62	248 00	278 00	
	A. M. West	r	130	26 00	62	248 00	274 00	830 00

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STATEMENT (Continued.)

Counties.	Names of members.	No. of miles charg'd	Mileage—Compensation.	No. of days charg'd	Per diem compensation.	Total compensation.	Total expense of each county.	Am't over drawn
Itawamba,	Russell O. Beene s	420	84 00	62	248 00	332 00		
	W. C. Cypert r	420	84 00	62	248 00	332 00		
	James C. Hinds r	420	84 00	62	248 00	332 00		
	A. J. M'Williams r	420	84 00	62	248 00	332 00	1328 00	
Jackson,	A. W. Ramsay s	360	72 00	64	256 00	328 00		8 00
	John Davis r	400	80 00	62	248 00	328 00	656 00	
Jasper,	James M'Dugald s	164	32 80	64	256 00	288 80		8 00
	L. B. Ellis r	170	34 00	62	248 00	282 00	570 80	
Jefferson,	George Torrey r	160	32 00	60	240 00	272 00	272 00	
Jones,	Drury Bynum r	180	36 00	63	252 00	288 00	288 00	4 00
Issaquena,	M. Powell r	280	56 00	62	248 00	304 00	304 00	
Kemper,	John J. Pettus s	240	48 00	62	248 00	296 00		
	L. J. Garret r	220	44 00	62	248 00	292 00		
	O. Y. Neeley r	240	48 00	62	248 00	296 00	884 00	
	James Brown r	360	72 00	62	248 00	320 00		
Lafayette,	A. H. Pegues s	375	75 00	62	248 00	323 00		
	J. F. Cushman r	360	72 00	62	248 00	320 00	968 00	
	W. P. Carter s	226	45 20	62	248 00	293 20		
	C. G. Clayton r	230	46 00	48	192 00	238 00		
Lauderdale,	Benj. Carroll r	210	42 00	62	248 00	290 00	821 20	

Lawrence,	W. A. Stone	s	130	26 00	28	112 00	138 00	
	Wm. Weathersby	r	130	26 00	62	248 00	274 00	412 00
Leake,	W. M. Hall	r	120	24 00	62	248 00	272 00	272 00
Lowndes,	D. Lipscomb	prest.	300	60 00	62	372 00	432 00	
	Eli Abbott	r	300	60 00	62	248 00	308 00	
	John T. Connell	r	280	56 00	62	248 00	304 00	
	James Whitfield	r	300	60 00	62	248 00	308 00	1352 00
Madison,	O. R. Singleton	s	50	10 00	62	248 00	258 00	
	Saml. Ford	r	94	18 80	60	248 00	266 80	
	Patrick Henry	r	20	4 00	60	240 00	244 00	768 80
Marion,	Elias C. Stewart	r	230	46 00	61	244 00	290 00	290 00
Marshall,	Ro. S. Greer	s	420	84 00	62	248 00	332 00	
	J. C. Alderson	r	420	84 00	62	248 00	332 00	
	Rich'd Phillips	r	420	84 00	62	248 00	332 00	
	J. J. Steger	r	460	92 00	62	248 00	340 00	
	C. L. Thomas	r	440	88 00	62	248 00	336 00	1672 00
Monroe,	Jas. E. Harrison	s	330	66 00	62	248 00	314 00	
	J. T. Fortson	r	330	66 00	62	248 00	314 00	
	Lock E. Houston	r	350	70 00	62	248 00	318 00	946 00
Neshoba,	A. B. Wooldridge	r	180	36 00	62	248 00	284 00	284 00
Newton,	Wm. Thames	r	160	32 00	62	248 00	280 00	280 00
Noxubee,	A. W. Dabney	s	260	52 00	55	220 00	272 00	
	George H. Foote	r	260	52 00	62	248 00	300 00	
	Samuel Moore	r	230	46 00	58	232 00	278 00	850 00
Oktibbeha,	W. R. Cannon	s	268	53 60	61	244 00	297 60	
	S. C. Harrington	r	254	50 80	57	228 00	278 80	576 40

STATEMENT (Continued.)

Counties.	Names of members.	No. of miles charg'd	Mileage— Compensa- tion.	No. of days charg'd	Per diem com- pensation.	Total compen- sation.	Total expense of each county.	Am't over drawn
Perry,	P. J. Myers.	r 230	46 00	59	236 00	282 00	282 00	
Pike,	Jesse Brumfield	r 216	43 20	61	244 00	287 20	287 20	
Panola,	T. F. Wilson	r 410	82 00	62	248 00	330 00	330 00	
Pontotoc,	J. D. Bradford	s 360	72 00	55	220 00	292 00		
	Jacob Bardin	r 400	80 00	62	248 00	328 00		
	Henry Duke	r 360	72 00	62	248 00	320 00		
	Wm. Melton	r 400	80 00	62	248 00	320 00	1268 00	
Rankin,	J. V. Hodges	s 100	20 00	63	252 00	272 00		4 00
	F. J. Lynch	r 30	6 00	62	248 00	254 00	526 00	
Scott,	A. H. Metcalf	r 110	22 00	62	248 00	270 00	270 00	
Simpson,	J. M. Dampier	r 90	18 00	63	252 00	270 00	279 00	4 00
Smith,	Saml. Noble	r 100	20 00	62	248 00	268 00	268 00	
Tallahatchie,	Jos. P. Foree	r 290	58 00	60	240 00	298 00	298 00	
Tunica,	R. H. Byrn	r 800	160 00	62	248 00	408 00	408 00	
Tippah,	N. S. Price	s 500	100 00	58	232 00	332 00		
	S. W. Echols	r 500	100 00	65	260 00	360 00		12 00
	Wm. H. Foote	r 500	100 00	62	248 00	348 00		
	J. H. Gatlin	r 500	100 00	62	248 00	348 00		
	J. G. Hamer	r 500	100 00	62	248 00	348 00	1736 00	
Tishemingo,	R. H. Boone	s 550	110 00	61	244 00	354 00		
	J. F. Arnold	r 550	110 00	62	248 00	358 00		

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Tishemingo,	A. B. Dilworth	r	550	110 00	62	248 00	358 00		
	S. S. Hogue	r	550	110 00	61	244 00	354 00		
	Melkijah Suratt	r	550	110 00	62	248 00	358 00	1782 00	
Warren,	Wm. A. Lake	s	100	20 00	62	248 00	268 00		
	D. B. Nailor	r	100	20 00	64	256 00	276 00	544 00	8 00
Washington,	J. S. Yerger	r	400	80 00	49	196 00	276 00	276 00	
Wilkinson,	H. F. Simrall	r	320	64 00	63	252 00	316 00		4 00
	T. Jones Stewart	s	300	60 00	63	252 00	312 00	628 00	4 00
Wayne,	John West	r	260	52 00	62	248 00	300 00	300 00	
Winston,	M. T. Collier	r	224	44 80	62	248 00	292 80		
	S. W. Godfrey	r	200	40 00	62	248 00	288 00	580 80	
Yallobusha,	W. B. Wilbourne	s	284	56 80	62	248 00	304 80		
	B. T. Cleveland	r	300	60 00	62	248 00	308 00		
	Henderson Ray	r	314	62 80	62	248 00	310 80		
	Jas. Weir	r	296	59 20	62	248 00	307 20	1230 80	
Yazoo,	S. P. Slade	r	100	20 00	62	248 00	268 00		
	H. J. Thomas	r	94	18 80	62	248 00	266 80	534 80	
Sunflower,	Geo. B. Wilds	r	280	56 00	62	248 00	304 00	304 00	

STATEMENT (Continued.)

	Names of Officers.	No. of days charged.	Per diem compensation.	Am't over ch'd.
SENATE CLERKS.	D. F. Dozier, Sec'y Senate,	62	372 00	
	W. B. Tebo, cl'k Senate,	62	248 00	
	J. B. Weller,	62	248 00	
	B. F. Dill,	62	248 00	
	John S. Holt,	62	248 00	
	W. R. Scurlock,	62	248 00	
	C. Y. Hutchinson,	62	248 00	
	Jos. Bennett,	61	244 00	
	F. A. Wolff,	62	248 00	
	S. W. Francis,	62	248 00	
CLERKS—House of Rep.	J. T. Simms,	21	84 00	
	W. V. Cavanah, Door-keeper,	62	186 00	
	E. P. Russel, Cl'k House Rep.	66	396 00	
	J. M. Childs,	62	248 00	
	E. M. Lawrence,	66	264 00	
	N. G. North,	62	248 00	
	G. W. Jones,	41	164 00	
	J. Z. George,	26	104 00	
	Rufus Hopkins,	54	216 00	
	Jas. S. Fall,	31	124 00	
	Wm. Johnson,	62	248 00	

Thos. G. Farrar,	56	224 00	
T. B. Ozment,	62	248 00	
Wm. D. Larkin,	62	248 00	
T. N. Martin,	62	248 00	
Wm. Marmon,	7	28 00	
Ro. Dawson,	6	24 00	
A. S. Bailey, Sergeant-at-arms,	67	268 00	24 00
Pollard Mullins, Door-keeper,	64	192 00	6 00
E. V. Dixon, clerk,	27	108 00	

AUDITOR'S OFFICE, March 4th, 1848.

GEO. T. SWANN,
Auditor of Public Accounts.

REPORT OF THE SECRETARY OF STATE.

To His Excellency, Albert G. Brown, Governor of the State of Mississippi:

SIR: The undersigned, Secretary of State of the State of Mississippi, and ex-officio general school commissioner, has the honor to report, that he has received communications containing information contemplated by the law "to establish a system of common schools," &c., from the following named counties:

As, however, no compulsion rests upon school commissioners elect, to accept their stations or perform the duties belonging to them, it is not surprising perhaps that these reports are comparatively few, and not so full and accurate as could be wished.

The board of commissioners for the county of Adams, reported on the 17th June last, that the amount of land in that county applicable to school purposes, under the act of March 1846, was 5,445 acres—that these lands were disposed of under the provisions of that law at from \$1 25 to 30 00 per acre, amounting in all to the sum of \$14,834. But the amount of cash received from all sources was too small to enable them to establish any schools. They further state that the quantity of land was found to be very much less than that to which the county was by estimation entitled, and claim some provision of law to make up the deficiency. It is presumed that this deficit arises from the great amount of old grants in Adams county made under the Spanish and English governments. It is distinctly stated by these commissioners, that some of the townships of that county are wholly destitute of any provision in this way, and that only three have their full proportion of land.

One of the commissioners for Covington county reports, under date 30th December, 1846, that they have on hand one hundred dollars, arising from retail licenses; and states that the leasing of school lands have not been completed, for the reason that many persons thought the proceedings irregular. In that county, there were, at the date of the report, no schools organized in accordance

with the late act. No more recent official intelligence has been received.

In the county of Hancock, the commissioners report in August that they have been duly organized and made some progress in preliminary measures. They report \$2,303 as the result of the sales of 15 sections of school land, though it mentioned that "10 of these fell back upon the hands of the commissioners," and that eight others did not bring the minimum limit of \$50 per section, and in consequence remained unsold; so that it appears only five sections were actually sold, the separate value of which is not stated. They have no information of any other funds applicable to school purposes, nor have they any licensed teachers. Owing to the sparseness of their population, they do not deem taxation for school purposes expedient in this county, but are nevertheless in favor of the law as it stands.

In the county of Hinds as per June report, there are three schools receiving aid under the provisions of the act (all in township 6, range 1, west,) comprising three teachers and seventy-three scholars. This arrangement, as reported, however, was to end on the seventh of November ultimo.

The commissioners think that the interest of the 16th section fund will support these schools. The treasurer has on hand \$1,750, and there are some two or three hundred dollars due. No other schools have as yet gone into operation, and some townships have protested, though the commissioners seem to anticipate more favorable results in future.

In Holmes county as per last June report, there were three schools with four teachers and ninety-eight scholars. No fund has been derived from 16th sections, and it is urged that much delay exists on the part of those heretofore entrusted with school funds, in placing them in the hands of the properly authorized treasurer, and consequently embarrassment, on the part of the commissioners in contracting with teachers, or incurring any other liabilities, to pay which, the means are not available.

They have received from taxes on the townships assess-

ed, and the several licenses appropriated by the law, \$304 29

And have paid to teachers, 323 81

Leaving a balance on hand of \$480 48

The commissioners of the county of Itawamba, reported in June that there were no schools or school houses in the county organized under the act. The fund on hand derived from retail licenses and fines is \$426 00, and appears to be loaned at interest.

In the county of Lauderdale by June report, there was one school in section 16, township 6, of range 16 east, containing 30 scholars, 20 males and 10 females, instructed by one teacher, who receives 252 dollars for nine months services, one hundred dollars of which is derived from 16th section fund, and one hundred and fifty two dollars from the general fund of the county. The funds will sustain a school about half the year. So much opposition is felt to the law that the board have not been able to do any thing beyond the one school reported. The county funds are however accumulating, and the commissioners express the hope that by "following a liberal policy and not hurrying things too much, gradually to wear off the prejudices against the law." In the subsequent (December) report from this county, the board reported that they have no school, though in the absence of positive knowledge, the funds appertaining to common schools, are believed to be nearly sufficient without taxation to support teachers in most of the townships. Opposition to the law is assigned by the secretary as a reason for the general apathy which it obtains.

Under date of 20th inst. a report from the school commissioners of Leake county represents, that much delay occurred in the organization of the board, from the indisposition of appointees to accept, or perform the duties of the office—that "but two schools in this county draw any school funds, and they are both in one township, under the control of township trustees, and average about forty scholars each. Nothing definite as to the kind or amount of funds applicable to common school purposes is given, though it is stated that "four school sections have been sold by the board of school commissioners at last meeting," and that they "sell no lands for less than \$1 25 per acre, unless we are petitioned to sell for less."

In Lowndes county (June report) the fund on hand was estimated at from \$1200 to \$1500. The commissioners are entirely ignorant of the situation of the funds, and as no books have been kept, they have no means of ascertaining the amount either of principal or interest due. One township has accepted the law.

Two schools were in operation with about 25 scholars each, the teachers of which were partly paid by the board, though no stipulation as to the portion thus to be paid is entered into, except that it shall be such "as the board may find it convenient to pay." Much regret is expressed on account of the inadequacy and uncertain condition of the school funds of this county.

In the county of Madison by the last June report of the board of commissioners, there appears to be a large fund for common school purposes arising from the 16th sections, and some of these lands still remain unsold and in dispute. In thirteen of the townships schools are reported, which your commissioner infers are sustained at least in part by means arising out of the sales or rents of school lands. It is distinctly stated that "the commissioners have not taken charge of any funds, entertaining doubts of their right to do so till after the 1st March next." "The people have expressed no willingness in any township to be taxed to support a school."

The board of commissioners in Monroe county, by a very recent report, received on the 29th inst., give information that they organized in June last, but have as yet done nothing further in prosecution of the objects contemplated by the law. Their common school fund from all sources amounts to \$1038 03, which is on interest. No schools are reported as deriving any aid from this fund, or as in any way under the supervision of the board.

In Pike county, according to the report of the board of commissioners in June, there were no schools under their supervision. The state of the funds, excepting a very small amount, was represented as altogether uncertain, though the townships and individual citizens have very generally given expressions of sentiment in favor of special taxation for the support of schools.

On the 7th of December, 1846, the commissioners of common schools in Scott county, report that owing to the delay or neglect of the citizens to act in relation to the subject, nothing had been attempted in the way of special taxation, neither had any disposition been made of the 16th sections, consequently no means were available from either of these sources. The treasurer had received \$76 from fines and forfeitures which were loaned at 8 per cent interest and considered safe. They further say, "No teachers are employed and no schools in operation." They then expressed the

opinion that "the system will be adopted so as to enable this board to put schools in full and successful operation during the next year." No subsequent report, however, has come to the hands of your commissioner from this county.

In July the board of common school commissioners for Yazoo county report, that there are 21 16th sections in the county, some of which remain unsold, and the others disposed of in various ways, at present however yielding very little if any revenue, to the common school fund, as no teachers in the county appear to be receiving any part of their compensation from this source. In ten townships which have reported to this board, there are said to be 592 children entitled to attend common schools, while only 212 attend school at all. The only funds reported under the control of the board consist of an amount for retail licenses of various kinds equal to

\$1,430 00

Of which they have loaned on security, 650 00

And have a balance in the treasury of \$780 00

As various amendments of, and additions to the act of March, 1846 are suggested and urged in the several reports from which this is made-up, your commissioner would respectfully refer the Legislature to those reports on file in his office. Doubtless there are some matters of detail, which having escaped attention at first, may require, in the practical working of the system some additional legislation to remove doubts and prevent consequent delays and failures in this vastly important enterprise.

The counties of Amite, Attala, Bolivar, Carroll, Chickasaw, Choctaw, Claiborne, Coahoma, Copiah, Clarke, Desoto, Franklin, Green, Harrison, Issaquena, Jackson, Jasper, Jefferson, Jones, Kemper, Lafayette, Lawrence, Marion, Marshall, Neshoba, Noxubee, Newton, Oktibbeha, Perry, Panola, Pontotoc, Rankin, Simpson, Smith, Sunflower, Tallahatchie, Tippah, Tishomingo, Tunica, Warren, Washington, Wilkinson, Winston, Wayne, and Yallobusha, have sent in no reports.

From this fact, and the additional one, that in a number of those reporting, there are no organization of schools under the law, there would seem to be a very general opposition to, or at least a great want of confidence in the act of March 4th, 1846, to secure the purposes for which it was designed.

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Its unsuitableness to the present condition of the Chickasaw counties is strongly urged as a reason why they have so generally declined acting under its provisions. The want of sanctions in compelling the former holders of school funds, whether of 16th sections or from other sources, to account to the proper authorities under the late law, is also urged with apparent force and reason. Great irregularities, especially in regard to the former and larger source of revenue are frequently mentioned, and much difficulty and loss, as appears to the commissioner, have already occurred from a want of system in the management of these lands and the funds arising from their sale or lease.

In conclusion, your commissioner can only express the hope that the patriotic and benevolent intention of the Legislature in enacting the law, may speedily be met by a more general and zealous effort on the part of the citizens of the State in availing themselves of the abundant resources thus afforded them for conferring upon their children the richest boon their country can bestow.

The commissioner having received so few reports from boards of school commissioners, has judged it best to present them somewhat in detail, though in doing so, he has endeavored to be as brief as his views of the necessities of the case would permit. All of which is most respectfully submitted.

I have the honor to be, very respectfully,

Your most obedient servant,

SAMUEL STAMPS,

Secretary of State.

JACKSON, Jan. 1, 1848.

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